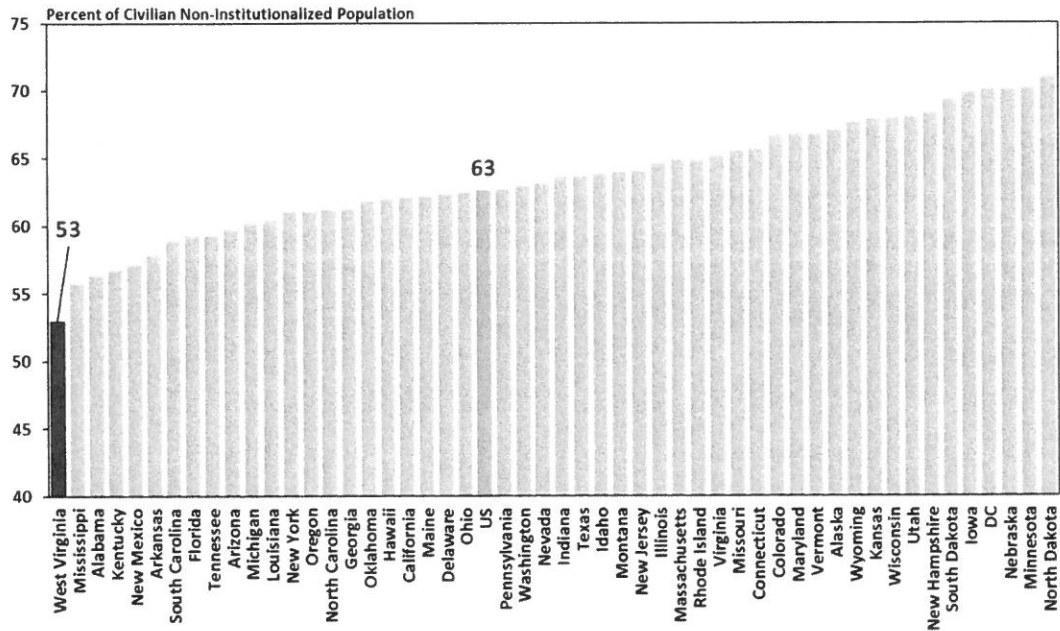


LABOR FORCE PARTICIPATION: In Figure 5, we show labor force participation rates for all of the US states. Labor force participation represents the share of the non-institutionalized population, age 16 and above, who are either working, or unemployed but actively seeking work. At 53 percent, West Virginia has the lowest labor force participation rate in the country, 10 percentage points lower than the average rate for the US as a whole.

Figure 5: Labor Force Participation



Source: US Census Bureau



3 The Matter at Hand: The Need for Modernizing Services to West Virginia's Citizens and Communities

Local governments, be they counties or municipalities, have two essential roles. One role of local government is to assist in the implementation of state policies and programs. Acting essentially as administrative units of the state, local governments—especially counties—are platforms where essential services can be carried out. The extent to which this is done varies from state to state. Second, local governments play an important role in our democratic system by allowing for public participation and public accountability at the community level. While complementary, sometimes tensions emerge between these two functions.

In West Virginia, county and municipal powers are very limited, as are many of their responsibilities and their taxing authority. Addressing West Virginia's challenge may require us to rethink the organization and vested powers of counties and municipalities. Just as importantly, and perhaps more immediately, we should consider how state government can best serve the needs and interests of West Virginia's citizens and their communities by examining the various statutes, programs, and practices that can both impede and promote effective and accountable public service and governance at the local and regional levels.

West Virginia is a complex and dynamic state. It is difficult to generalize about the needs and priorities of our communities and their citizens. Some parts of our state are undergoing rapid transition as a result of unprecedented economic and demographic growth—the greater Morgantown area and the Eastern Panhandle counties of Berkeley and Jefferson immediately come to mind. Other parts of our state are experiencing rapid transition of a different kind, as distressed economic conditions have led to population loss and the exit of businesses from communities. There are no “one size fits all” solutions to West Virginia's challenges and opportunities. Instead, there is a need for flexible approaches in assisting our communities and their citizens. Through our work, we have identified some important questions that warrant further research and analysis.

3.1 Assessing the Governmental Structures and Processes that Serve West Virginia's Communities and Citizens: County and Municipal Perspectives

Discussions about the effectiveness of existing local governmental services and arrangements often get off on the wrong foot because of assumptions that remedies and reform must involve some level of political consolidation that will erase boundary lines and obscure place-based identities. We start with the assumption that governmental structures, be they at the state, regional, or local level in West Virginia, exist to serve communities and their citizens. In the 21st century, it is necessary and appropriate to consider how changing needs might best be served by existing and new governmental arrangements. Some major points to consider include:

- West Virginia grants relatively limited powers to counties and municipalities. Indeed, among the states, West Virginia is among those that are most limiting in powers and responsibilities given to localities.
- As a result of this limited authority, the legal and fiscal capacities of local governments in West Virginia tend to be constrained. This means that local governments may find it difficult to respond to new demands and challenges posed by economic and demographic change.



- Cities: Are the responsibilities allocated to city governments appropriate? Are city governments structured appropriately? Should some city governments consolidate with the county and/or with other municipalities? Should policies be enacted to encourage voluntary consolidation of city and county governments?
- Counties: Are the responsibilities allocated to county governments appropriate? Do the county borders that were drawn more than a century ago in West Virginia remain appropriate? Could county consolidation enable more efficient and effective government? Should policies be enacted to encourage voluntary county consolidation?
- Multi-county government units: Are the responsibilities allocated to government units that encompass multiple counties appropriate? Are these government units structured appropriately?
- Discussions about empowering municipalities and counties through home rule options should also take into account constitutional and statutory limitations on local government reorganization options. Authority to act does not necessarily translate into the ability to act.

3.2 State Government's Role in Serving Citizens and their Communities: Service Delivery, Regionalism, and Special Purpose Governments

States have different mechanisms for organizing the delivery of essential services to citizens and their communities. The balance between state and local responsibilities for the management and delivery of critical public services varies across the United States. In some states, many responsibilities are delegated to local governments. Elsewhere, responsibility is concentrated at the state level. In West Virginia, the balance is decidedly tilted toward state government and away from local governments. For example, while some states delegate or share authority for health and human services and road systems to local government systems, in West Virginia the situation is somewhat different. Since the 1930s, most roads in West Virginia have been built and maintained under the auspices of the state Division of Highways. Local municipalities still have jurisdiction on roads that are not state or federal highways. Since the 1930s, the management of health and human services cases and eligibility functions—originally public assistance, but also now Medicaid, Food Stamps, Child Protective Services, and the like—are delivered through state-operated field offices.³ Given that West Virginia is a mostly rural and relatively sizable state, it is not surprising that regional state government and other administrative structures are relied on to coordinate management and service delivery. Because of the reach and variety of these organizations, we have provided a detailed assessment and illustration of selected regional entities in the Appendix of this report. Some major issues and questions include:

- How can existing state services (e.g. educational support, highways, corrections, health and human services) best be aligned on a regional basis to serve citizens? Are current alignments appropriate? Have new demographic or economic factors raised the need to reevaluate these arrangements?
- How have existing multi-county regional units been created? (State policy? Federal mandate? Some other mechanism?)
- What is the function and role of Local Development Districts or Regional Planning Councils? Can they be used to further the delivery and coordination of state and federally funded programs?
- Like many other states, West Virginia relies on special purpose governments to manage and deliver critical services, including solid waste management, housing authorities, and water and sewer systems. In the late 1950s, there were some 57 of these units in West Virginia; by the early 21st century, this figure stood at 342 special purpose governments.⁴ How might special



purpose governments address issues associated with the need for coordinated and consolidated services and programs for West Virginia's citizens and communities?

3.3 Challenges Facing Rural Counties Experiencing Population Loss and Economic Distress

Many of West Virginia's communities are facing hard times due to economic distress and population loss. We see this most prominently in our Southern Coalfields, but these conditions are found elsewhere, as well. While it would be ideal for such communities to return to prosperity and growth, we must also acknowledge that there are transitional challenges that need immediate attention. Here are some of the most essential issues and questions that are being raised.

- In a number of counties, there exist small municipalities that are cash-strapped and ill-equipped to deliver services. While state code provides for "dissolution" of municipalities, the manner for doing this may not be clear to all. In addition, we may want to identify factors that will facilitate or impede the process of dissolution. In doing so, we also need to examine the issues involved if a county were to absorb municipalities. These issues might include road maintenance, water system operations, and other infrastructure matters.⁵
- Counties that have limited resources may want to investigate methods to pool their resources in order to purchase items and coordinate public safety and management functions. This may include the need for professionalized services (perhaps offered by one county among others, or a regional governmental entity, such as a local development district) that could be carried out on behalf of multiple counties. Inter-county cooperation may be an important way to help citizens address challenges in distressed communities. It would be helpful to inventory and assess such cooperative arrangements as they now exist in West Virginia.
- In West Virginia, school systems operate independently of county governments, but follow county boundaries. In our more rural areas, especially those facing population decline, efforts might be explored for creating school districts that span more than one county. As this is explored, it will be essential to examine how existing tax collection and school financing mechanisms may facilitate and/or hinder reforms that would allow new districting arrangements.
- Research indicates that consolidating schools generally will increase the depth and variety of courses offered, including college credit courses, fine arts courses, and extra-curricular courses. Administrative and building costs are also reduced. In addition, teachers have access to a greater number of resources and are better able to collaborate, due to multi-teacher departments. However, school consolidation also may lead to the layoff of some teachers and a loss of local identity. Local schools, especially in rural areas, are often a source of local pride and community. School consolidation likely would face intense opposition in West Virginia and may be politically infeasible. However, in some cases, the benefits of school-district consolidation may outweigh these challenges.
- It is not beyond the realm of practical possibility and necessity that counties may need to be merged or consolidated. While the political prospects of this may be daunting, there do exist mechanisms for redrawing and reforming counties.⁶



- The importance of community identity cannot be overlooked. West Virginians take pride in place. Sharing responsibilities across jurisdictions, or even the dissolution of municipalities, need not lead to a loss of community identity.

3.4 Challenges Facing Growth Areas

While common portraits of our state are often painted in broad brush-strokes of colors chosen from a palette of distress and decline, West Virginians know that there is great diversity and variation across the state in terms of economic conditions, development prospects, and public service needs. In reimagining and modernizing government services to serve the state's communities and its citizens, we should also be mindful that there are parts of our state, such as the greater-Morgantown area and the Eastern Panhandle, that are experiencing the challenges and opportunities of rapid progress. Communities that are experiencing population growth and economic expansion also have 21st century needs that might be best addressed by revisiting how services are provided and growth is coordinated. Among the questions and issues that emerge are the following:

- High growth communities often face common infrastructure challenges pertaining to roads and sewer and water systems. They also face service delivery challenges, such as in providing fire protection and police services. A thorough review of how existing West Virginia code, statute, and constitutional arrangements apply may shed light on impediments to, as well as options for, intra-county or intra-regional cooperation. This might include city-county cooperation, as well as cooperation among contiguous municipalities. Thus, how can intra-county cooperation (city-county cooperation, city-city-city, functional consolidation, and annexation) be promoted or accomplished in growth areas, such as Berkeley County or Monongalia County?⁷
- Economic development opportunities often necessitate intergovernmental coordination, whether that pertains to land use, infrastructure, or transportation. A broader understanding of the role of Metropolitan Planning Organizations, Regional Planning and Development Councils, and other bodies is needed.
- In recent years, changes in West Virginia law have provided new options for "home rule" in various municipalities—be this in name or in practice. The growing popularity of the home rule option is especially resonant in municipalities. A fuller assessment of the track record of home rule experimentation in West Virginia would be useful, in order to identify and analyze (from actual practice) the likely benefits and challenges of reorganization.

3.5 Innovations in Addressing Local and Regional Challenges and Opportunities

There is an old saying that "form follows function." Throughout West Virginia, there have been actions taken by public officials, private citizens, and the business community to forge alliances and relationships across communities and localities, in order to pool resources to create regional identities, align economic development strategies, and create new opportunities for growth and development. Important questions include the following:

- What are the numbers and type of these organizations? For example, in southern West Virginia, the New River Gorge Regional Economic Development Authority spans a four county region. The Appalachian Forest Heritage Area has helped to brand the mountainous regions of Northeastern West Virginia and Western Maryland as a tourism destination.⁸



- What role do state government and federal agencies play in facilitating cooperation around areas of community and economic development, tourism development, and regional branding? What role can and should state government and federal agencies play in this area? What are some examples of cooperative arrangements among local governments in West Virginia?⁹



4 Considerations Associated with Government Consolidation and Cooperation

When one refers to local government reorganization and coordination, political consolidation is generally assumed. This in and of itself involves many different applications and dimensions. Our goal in this section is to more fully explore political consolidation and to take up other paths towards reorganization and cooperation, such as functional consolidation, annexation, and dissolution. Many communities have decided to consider alternatives to political consolidation that may be easier to achieve and yield similar benefits – and in some cases even more benefits. Most prominent among these alternatives is functional consolidation, where local governments may collaborate to provide certain services without combining politically. Other alternatives include annexation and dissolution. Most prominent among alternatives to political consolidation is functional consolidation.

In this section we offer illustrations from a comparative context and offer some assessments about the feasibility, strengths, and weaknesses of these various options. While this section provides a closer look at options and paths that West Virginians might want to consider moving forward, we emphasize that this is still a preliminary assessment that bears further exploration.

4.1 Political Consolidation

When one refers to local government reorganization, political consolidation is generally assumed. Political consolidation “merges two or more general purpose political structures (typically a county and the largest city in the county) into a single entity with a single elected body and a mayor or county executive.”⁹ State legislatures may mandate political consolidation (but rarely do). Political consolidation generally occurs through citizen referenda. However, only 15 percent of referenda for political consolidation pass. Consequently, only 41 politically consolidated governments exist in the United States. Fewer than 10 political consolidations have occurred since 1990. Despite this history, political consolidation remains a popular topic of discussion. Several communities, including Pittsburgh-Allegheny County, are considering, or have recently considered, political consolidation.¹⁰

Political consolidation promises to increase efficiency of service delivery, enhance economic development, increase accountability, and prevent corruption. Citizens often expect a reduction in taxes due to this increased efficiency. In practice, however, increased efficiency is rarely achieved, due to politics and compromise.

In any circumstance, and especially in an environment of significant public resource constraints, leaders should strive to ensure that government units are structured in such a way as to maximize efficiency and effectiveness. As such, in this section, we review a number of broad issues associated with a) the consolidation of city governments within a county or b) the consolidation of county governments. This list should serve as a guide to future research that explores possible consolidation efforts more in depth.

PURCHASING POWER: As with cost savings, there are undoubtedly ways in which larger government units can buy inputs in bulk and achieve better cost packages. We should look for examples of such savings.

METROPOLITAN AREA POPULATIONS: County consolidation will result in larger metro areas in some cases. In particular, a combined Kanawha-Putnam-Cabell mega county would result in a metro area with



a population size that is in the Top 100 metros nationally. This could lead to more national recognition from an economic development perspective.

GRANTS AND CITY SIZE: Grant funders often prefer regional proposals or proposals that promise broad impacts. Consolidation may better position local governments in West Virginia to receive grant funding.

COST SAVINGS: There are undoubtedly numerous ways in which resources can be used more effectively with larger government units. We should look for ways to illustrate these savings. For example, other regions have consolidated information technology professionals and achieved increased efficiency and effectiveness. Police services also offer promise for consolidation. However, other services may fail to show economies of scale. These effects should be considered in structuring consolidation. In addition, we note that cost savings is a consideration in all methods of government reorganization.

RELOCATING SERVICES TO THE APPROPRIATE AGENCY: Specific services may presently be divided among several agencies, or located in specific departments, that hinder efficient and effective delivery of services. A holistic review of services and departments may allow for appropriate shifting or consolidation.

LOSS OF COMMUNITY IDENTITY: One common objection to consolidating government services centers on the loss of community identity. This effect may be especially severe in rural areas. Possible compromises and methods to minimize loss of community identity must be considered and incorporated into plans.

JOB CUTS: Larger government units may be able to deliver the same services with fewer people. In fact, past consolidations have failed to deliver cost savings and increased efficiencies because governments lack the political will to reduce positions and workforce. Such reductions would be unpopular in West Virginia, especially given the present employment situation. Potential consolidation strategies must consider whether and how positions will be reduced and how the negative impact of these reductions can be minimized by, for example, achieving reductions through attrition rather than layoffs.

FORMAL AGREEMENTS FOR CROSS-JURISDICTIONAL SHARING: Local governments have entered into inter-governmental agreements for decades. These agreements can achieve high levels of functional consolidation, while allowing local governments to retain their identities and their autonomy. The success of these inter-governmental agreements depend upon the quality of the agreements. The state can facilitate and encourage inter-governmental agreement by providing legal services at reduced or no cost to negotiate and draft agreements.

ENHANCED ECONOMIC DEVELOPMENT: Political consolidation enhances economic development given one set of rule for developers. In addition, a single strategic vision for the region prevents competition for businesses with increasing incentives, and makes the region more attractive for economic development. For example, former State Senator Brooks McCabe has argued that Kanawha, Putnam and Cabell counties could join together and better recruit business developers who would see a larger workforce, more hospitals, and additional amenities within the county.

REDUCED TAXES. Many political consolidations have separate districts following prior jurisdictional boundaries, each with separate tax rates (Nashville-Davidson County, Tennessee), or leave some services with the original jurisdiction (Unigov, Indianapolis-Marion County, Indiana). Therefore, serious



discussions need to occur prior to formal consolidation to determine whether true functional consolidation will result, or whether the “same government, different day” will prevail.¹¹

INCREASED ACCOUNTABILITY. The focus on efficiency raises the debate between regionalism and fragmentation. The argument in favor of political consolidation promotes regionalism as a more efficient way to deliver services. However, public choice theorists argue that fragmentation allows voters to “shop” for the locality that delivers the services that most closely resemble those desired by the voter. Therefore, this argument advances fragmentation as more effective governance.

4.2 Functional Consolidation

Functional consolidation “involves merging specific service areas but leaving the political bodies independent.”¹² Charlotte-Mecklenberg County, North Carolina is often considered a model for functional consolidation, having consolidated at least 15 different services. However, the city and county retain their political autonomy. This alternative provides a middle ground between increasing efficiency (political consolidation) and providing more choice (political fragmentation). Consolidated services in Charlotte-Mecklenberg County include the school system.

The process for functional consolidation is more straightforward than political consolidation, requiring only agreement of the local governments involved. Local governments have been sharing service responsibilities for decades through inter-local agreements. Local governments may also pick and choose which services to consolidate, and consolidate when economies of scale are present, while not consolidating where diseconomies of scale exist. For example, consolidating police forces results in more effective service for rural communities. Other emergency services may benefit from consolidation due to the high capital costs involved. Consolidating planning and zoning enhances economic development and prevents annexation.

Inter-local agreements are also common in the United States. In West Virginia, some communities share building inspectors, police departments, and other functions. Chapter 8, Article 23 of the West Virginia Code provides broad authority for inter-local agreements in the state. The statement of purpose, contained in W. Va. Code, § 8-23-1, states in part that inter-local agreements may increase efficiency, result in economies of scale, and allow government to be tailored to “accord best with the geographic, economic, population and other factors influencing the needs and development of local government services and facilities”. W. Va. Code, § 8-23-2 states that any municipality, county, or other political subdivision of the state may enter into agreements, including any county board of education. Agreements may cover any power or authority, including public works.

Research indicates that three factors determine the success of inter-local agreements: reciprocity, equity, and shared understanding of goals. Reciprocity translates to trust that each party will live up to their obligations. Equity relates to the fair sharing of costs and benefits. Finally, if the parties to an agreement hold shared goals, those goals are more likely to be accomplished. Therefore, the goals should be clearly articulated in the agreement.

Citizens/voters approve of functional consolidation much more often than political consolidation. New York, for example, amended their state statute to make political consolidation easier. In addition, a property tax cap and property tax freeze combined to put tremendous pressure on local governments in the state to be more efficient (“forced efficiency”). New York has seen a marked increase in functional consolidation, but the changes have not increased political consolidation.



4.3 Annexation

Annexation involves the incorporation of unincorporated portions of the county into a municipality. Article 6, Chapter 8 of the West Virginia Code provides the processes for annexation in the state. Annexation may occur by petition, by referendum, or by minor boundary adjustment. Minor boundary adjustment is the easiest method of annexation, but still requires agreement with the county. Annexation provides one form of political consolidation.

Interestingly, the threat of annexation provides an incentive for political consolidation in many cases. For example, the consolidation of Virginia Beach and Princess Anne County in Virginia resulted from the threat of annexation of large portions of the county into the City of Norfolk. Annexation proves to be controversial in many instances, however.

Minnesota uses “orderly annexation” to bring in smaller pieces of a township into city jurisdiction. An orderly annexation process, initiated by residents in the area to be annexed or the municipality, lets both entities adjust slowly to changes in taxes and governance. An independent body adjudicates the request, and in some instances, no vote is taken of the residents that will be affected.

Many municipalities in West Virginia express the desire to annex unincorporated areas. The proposed annexations include “donut holes,” or unincorporated areas that are surrounded by the municipality, presenting difficult issues for emergency response and other service delivery. Other proposed annexations would incorporate areas receiving water or other services from the municipality, straighten irregular boundaries, or incorporate areas that logically should be part of the municipality.

4.4 Dissolution

Dissolution of incorporated municipalities provides a type of consolidation when the former municipality becomes an unincorporated part of the county. Voluntary dissolution of municipalities increasingly occurs, often as a response to an inability to continue to supply services to citizens. For example, municipalities in Virginia (the only state where all municipalities are independent of counties) increasingly threaten to revert to unincorporated status, with a few following through on the threat.

W. Va. Code, § 8-35-2 provides for voluntary dissolution of Class III cities and Class IV towns and villages in West Virginia. A petition signed by 25% of the legal voters is required to initiate a referendum. If a majority votes for dissolution, all debts and other obligations of the municipality must be settled before dissolution occurs. Voluntary dissolution would, therefore, be very difficult to achieve in West Virginia.

4.5 State Centralization and Related Practices

In times of fiscal stress and demographic change, the challenges of providing services and programs at the local level may be so extreme as to require that the state step in to reallocate local government management and administrative responsibilities to the state. This happened in West Virginia back in the 1930s, when the state assumed management of road systems and welfare assistance services, previously managed by the counties. More recently, the state has at times stepped in to help county schools systems correct and improve performance.

The degree of centralization of county or municipal functions can vary. In addition to being a means of responding to pressing needs or problems, state centralization and related approaches can also be seen as policy tools that account for, and anticipate, changing conditions which might require a more regional



approach. Stated differently, in certain conditions, centralization can be a means of both providing better services and of doing so more efficiently and cost effectively. This may especially be the case in rural areas of the state that have experienced population loss and where the cost of providing services is becoming unsustainable. A good example of this is the West Virginia Regional Jail Authority, which was established in 1985 and created, in part, to ease mounting costs to counties in operating and maintaining their jails.¹³ Recent state-level policy discussions have centered on transferring some responsibilities from local health departments to regional public health agencies, given budgetary constraints at the local level.¹⁴



5 Conclusions

West Virginia faces unique challenges in serving the needs of its citizens and its communities. Ours is a resilient state that has responded creatively in the past to the need for governmental modernization. The set of issues before us today is daunting—economic distress in many of our counties, population loss, and uncertain budgetary conditions in state and local governments. But we also have opportunities before us, be they in the prospects of diversifying our economy, promoting growth in rapidly developing parts of our state, honoring our heritage and culture, or helping to educate the next generation of West Virginians.

We all can agree that public agencies and administrative structures serve the people. As times change, it is appropriate to step back and assess. We are now presented with a set of challenges and opportunities that encourage bold thinking about how we set a course for the future while being mindful of the importance of place and identity in our state and its communities. Just as the challenges are unique, so too are the times. It is apparent that many different interests and perspectives are converging on a common desire to improve the coordination and delivery of essential services in our state and to create regional and cooperative platforms to develop plans and strategies that help West Virginia move forward. This report has offered a first step in realizing improved efficiency and effectiveness by identifying some key issues and questions to consider as we engage in a broader dialogue and discussion about local and regional cooperation and government reorganization in West Virginia.



6 Notes

¹ Our research follows some other recent research on the nature and structure of multi-county governments units in West Virginia. For instance, recently the West Virginia Legislative Auditor published a special report on Regional Education Service Agencies in the state, which can be found at <https://www.documentcloud.org/documents/3232197-RESA.html>

² For an in-depth examination of the coal industry in West Virginia, see Brian Lego and John Deskins' "Coal Production in West Virginia 2016-2036," available at <http://business.wvu.edu/files/d/499a391e-1e00-4df7-b6ce-5fed9cd63b8d/bber-2016-03.pdf>.

³ For a discussion of the evolution of state government, see Richard A. Brisbin, Jr., Robert Jay Dilger, Allan S. Hammock, and L. Christopher Plein, *West Virginia Politics and Government*, 2nd Edition (University of Nebraska Press, 2008). See especially chapter eight, "The Administration of State Policies."

⁴ Brisbin et al. p. 241.

⁵ Dissolution of incorporated municipalities provides a type of consolidation when the former municipality becomes an unincorporated part of the county. Voluntary dissolution of municipalities increasingly occurs, often as a response to an inability to continue to supply services to citizens. For example, municipalities in Virginia (the only state where all municipalities are independent of counties) increasingly threaten to revert to unincorporated status, with a few following through on the threat. W. Va. Code, § 8-35-2 provides for voluntary dissolution of Class III cities and Class IV towns and villages in West Virginia. A petition signed by 25% of the legal voters is required to initiate a referendum. If a majority votes for dissolution, all debts and other obligations of the municipality must be settled before dissolution occurs. Voluntary dissolution would, therefore, be very difficult to achieve in West Virginia.

⁶ Specific to West Virginia, rural localities and smaller communities may be more likely to benefit, and may benefit more, from consolidation. Chapter 7A of the West Virginia Code provides the process for political consolidation. Two methods of effecting consolidation exist. First, 25% of the legal voters of *each* of the affected communities (including municipalities and counties) may petition for consolidation. Second, the governing body of *each* affected community may pass a resolution for consolidation. Once a petition is verified, or the resolutions are submitted, a charter review committee is established to study the consolidation and propose a charter for the consolidated entity. After a public hearing, the proposed charter is submitted to the governing bodies of the affected communities. Each community must conduct an election. If 55% of the voters of *each* community approves the charter, the consolidation becomes effective.

⁷ Annexation involves the incorporation of unincorporated portions of the county into a municipality. Article 6, Chapter 8 of the West Virginia Code provides the processes for annexation in the state. Annexation may occur by petition, by referendum or by minor boundary adjustment. Minor boundary adjustment is the easiest method of annexation, but still requires agreement with the county. Annexation provides one form of political consolidation.

⁸ For the New River Gorge Regional Development Authority, see <http://nrgrda.org/who-we-are/about-the-nrgrda/>, For the Appalachian Forest Heritage Area, see <http://www.appalachianforest.us/>

⁹ West Virginia communities are already involved in many collaborative activities that may lead to functional, or even political, collaboration. For example, the Land Use and Sustainable Development Law Clinic at WVU College of Law ("LUSDL Clinic") has drafted several county comprehensive plans. These county plans involve inter-governmental agreements between consenting municipalities and the county commission. These plans that provide a common vision for the county or region and often lead to increased collaboration among the county and municipalities. The LUSDL Clinic is presently drafting a regional comprehensive plan for the Upper Kanawha Valley,



involving Montgomery, Gauley Bridge, Smithers, and unincorporated portions of Kanawha and Fayette Counties. Participants explicitly mentioned the possibility of some functional consolidation in approving of the regional approach. Local governments are already sharing resources today. This sharing is as simple as the sharing of building inspectors, emergency service personnel or heavy equipment. These initiatives allow local governments to experiment with increased efficiency, addressing problems unique to West Virginia's governments.

¹⁰ R.W. Archibal and S. Sleeper, *Government Consolidation and Economic Development in Allegheny County and City of Pittsburgh* (Technical Report (RAND)) (April 8, 2008).

¹¹ Reese L. A. (2004). Same governance, different day: Does metropolitan reorganization make a difference?. *Review of Policy Research*, 21(4), 595-611.

¹² Leland, Suzanne, and Kurt Thurmaier. (2014) "Political and Functional Local Government Consolidation" *The American Review of Public Administration*. Vol 44, Issue 4_suppl, pp. 29S-46S.

¹³ See Brisbin et al. *West Virginia Politics and Government* (2008, pp. 98-99).

¹⁴ See Brian Lego and John Deskins, "Briefing on Local Health Department Consolidation Potential in West Virginia," *West Virginia University Bureau of Business and Economic Research* (January 2016).



Appendix: Review of Multi-County Government Units in West Virginia

In this appendix, we list several multi-county governmental units in West Virginia and provide a basic descriptor of each. This appendix is not comprehensive. Its purpose is simply to inform the reader of the existence and diversity of several of these multi-county government units and to illustrate the degree to which their border definitions are consistent. We hope that this presentation spurs further research on the efficiency of these structures. Further research should ask whether gains could be enjoyed by bringing these units into greater alignment. For instance, could enhanced cooperation take place across multiple government functions if many of these units covered identical service territories? If so, under what circumstances would stronger alignments be efficiency enhancing?

The order in which we list the multi-county government units below is not vital to our purpose, but we list the units in the following order:

Federally Mandated Regional Units

- Workforce Development Boards
- Planning and Development Councils/Local Development Districts

State Administrative Regional Units for Service Delivery

- Regional Education Service Areas
- Regional Jail Authority
- Department of Environmental Protection Areas
- Division of Health and Human Resources Areas
- Highway Districts

State Agency Designated Regions for Planning and Coordination

- State Division of Tourism Regions
- Community College Areas
- Industrial Development Zones
- Small Business Development

Self-Initiated Regional Cooperative Arrangements

- Appalachian Forest Heritage
- Regional Intergovernmental Council
- Central Appalachian Empowerment Zones

Industrial Cooperative Regions

- Polymer Alliance Zone
- Hardwood Alliance Zone
- Chemical Alliance Zone



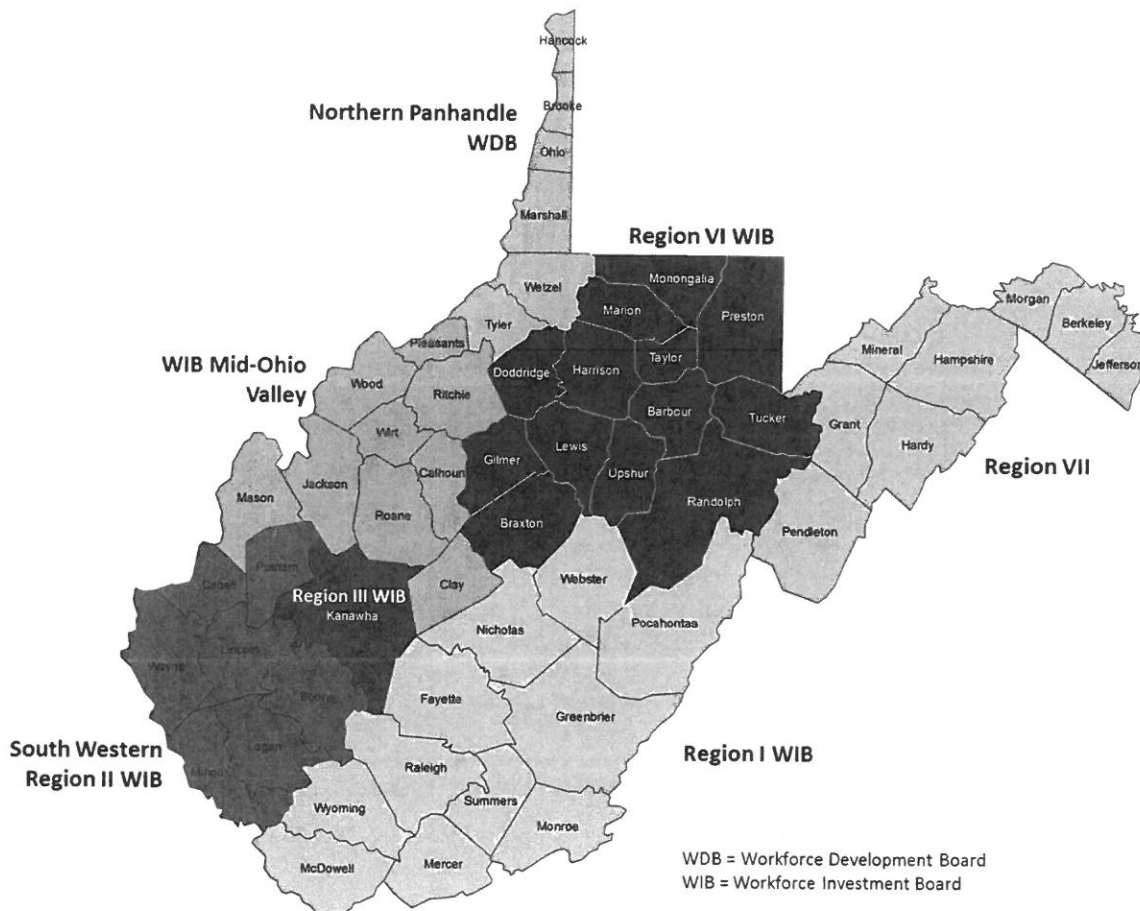
Workforce Development Boards

Basic Classification: Organizational; Mandated in Law

Function: A federal state plan that will increase employment, retention and earnings of WIA participants, improve the quality of the workforce, reduce welfare dependency and enhance our national productivity and competitiveness.

Origin: The federal Workforce Investment Act of 1998 requires Governors to establish a state workforce investment board to assist in the development of a state plan.

Number of Units: 7



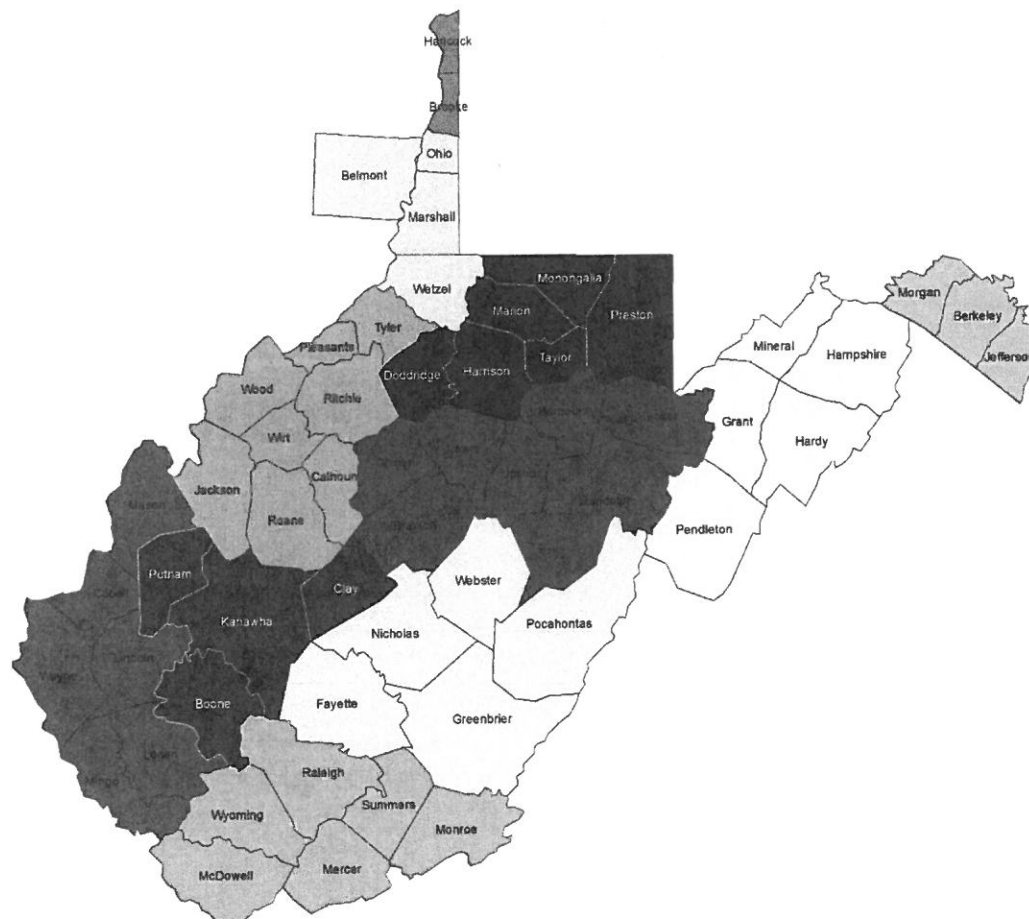
Planning and Development Councils

Basic Classification: Service Providing; Mandated

Function: To more effectively utilize the State's resources and to maximize the opportunities for local communities and public service agencies to secure Federal assistance for economic development, water and sewer systems, and other public projects.

Origin: The West Virginia Legislature enacted the *West Virginia Regional Planning and Development Act* in 1971. This act divided the state into eleven regions, each of which serves as a development district for its respective member counties.

Number of Units: 11



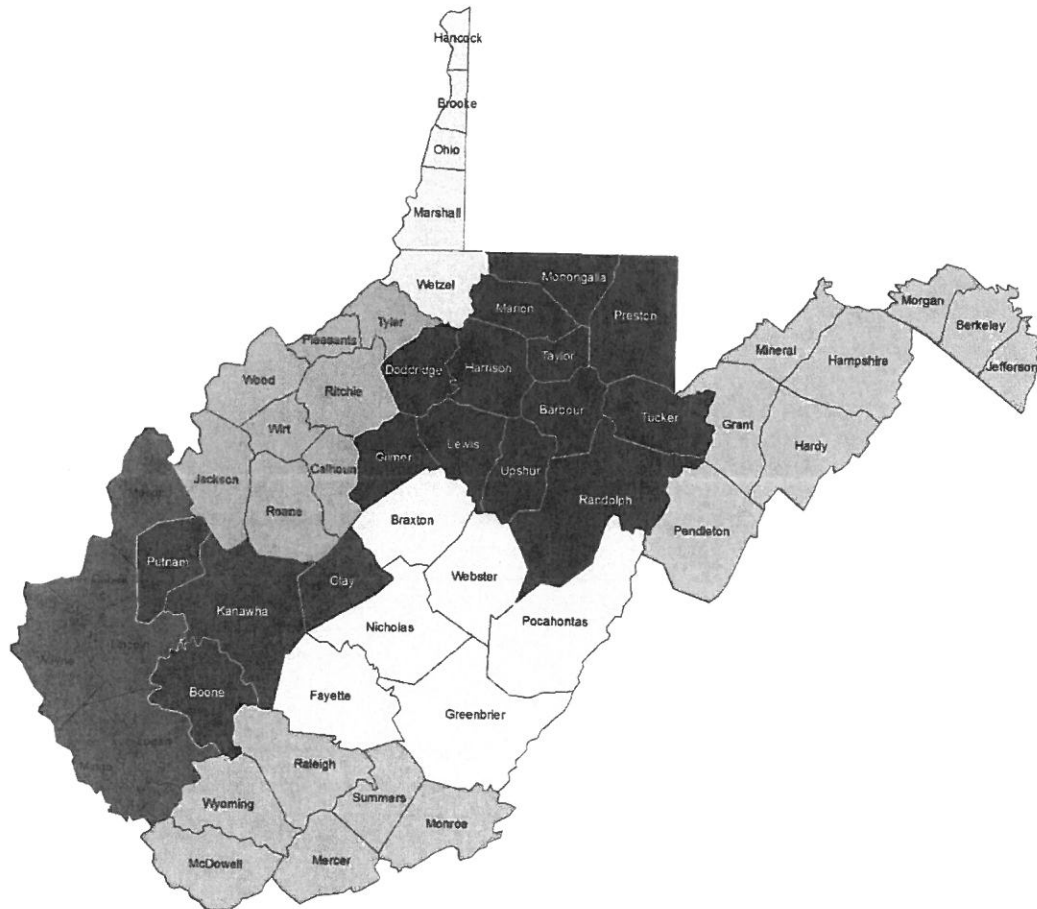
Regional Education Service Areas (RESAs)

Basic Classification: Service Providing; Mandated

Function: A wide range of services and programs are provided through this regional arrangement. Schools share staff who provide direct student services, such as physical therapy, occupational therapy, and speech therapy. RESAs sponsor spelling bees, science fairs, and other academic competitions. They organize partnerships with outside institutions, such as the "Gear Up" program for college readiness. Professional training is offered on a wide variety of topics for staff and substitute teachers within the region. Recently, RESAs have begun to provide technical assistance to improve low-performing schools. Through RESAs, member schools attain greater equality of educational opportunities, delivery of services at a lower per-student cost, more effective use of funds, and more efficient administration.

Origin: In 1972, West Virginia passed legislation authorizing the state Department of Education to create Regional Education Service Agencies (RESAs)

Number of Units: 8



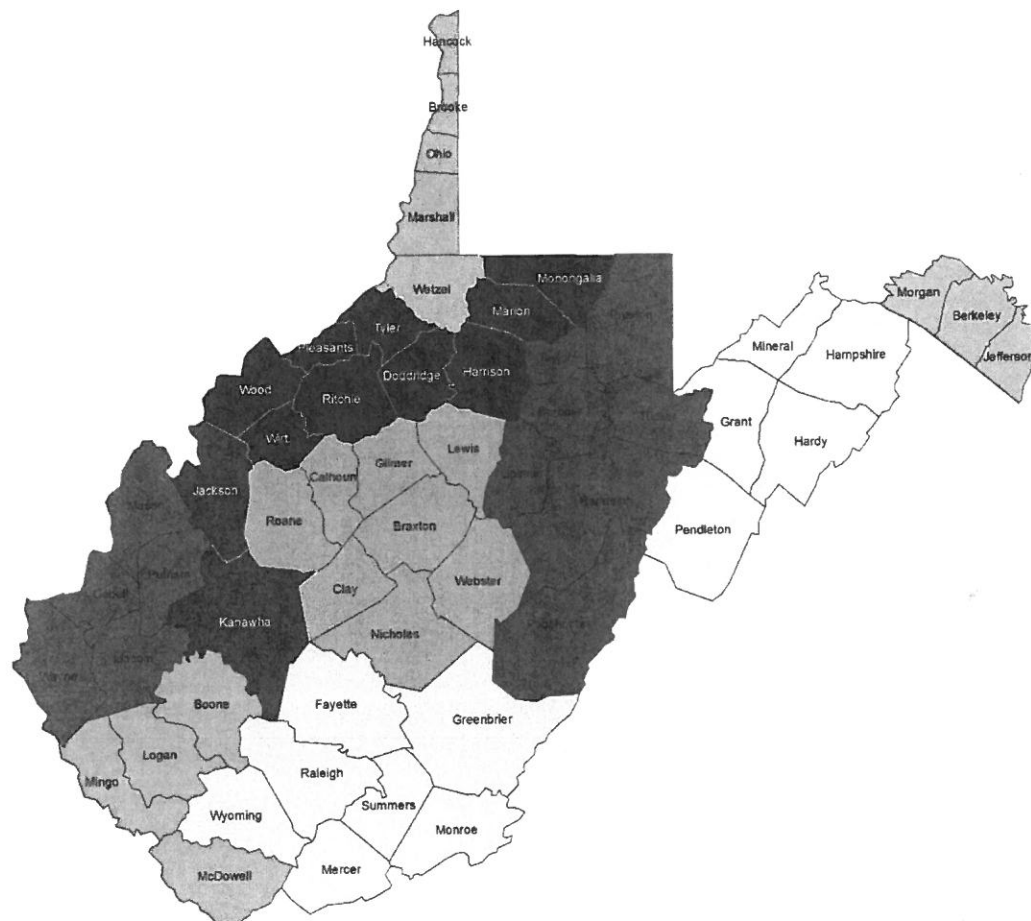
Regional Jails

Basic Classification: Service Providing; Mandated

Function: To provide safe, secure and humane care for persons ordered to be incarcerated by the courts

Origin: The WV Regional Jail and Correctional Facility Authority was created by the West Virginia Legislature in 1985.

Number of Units: 10



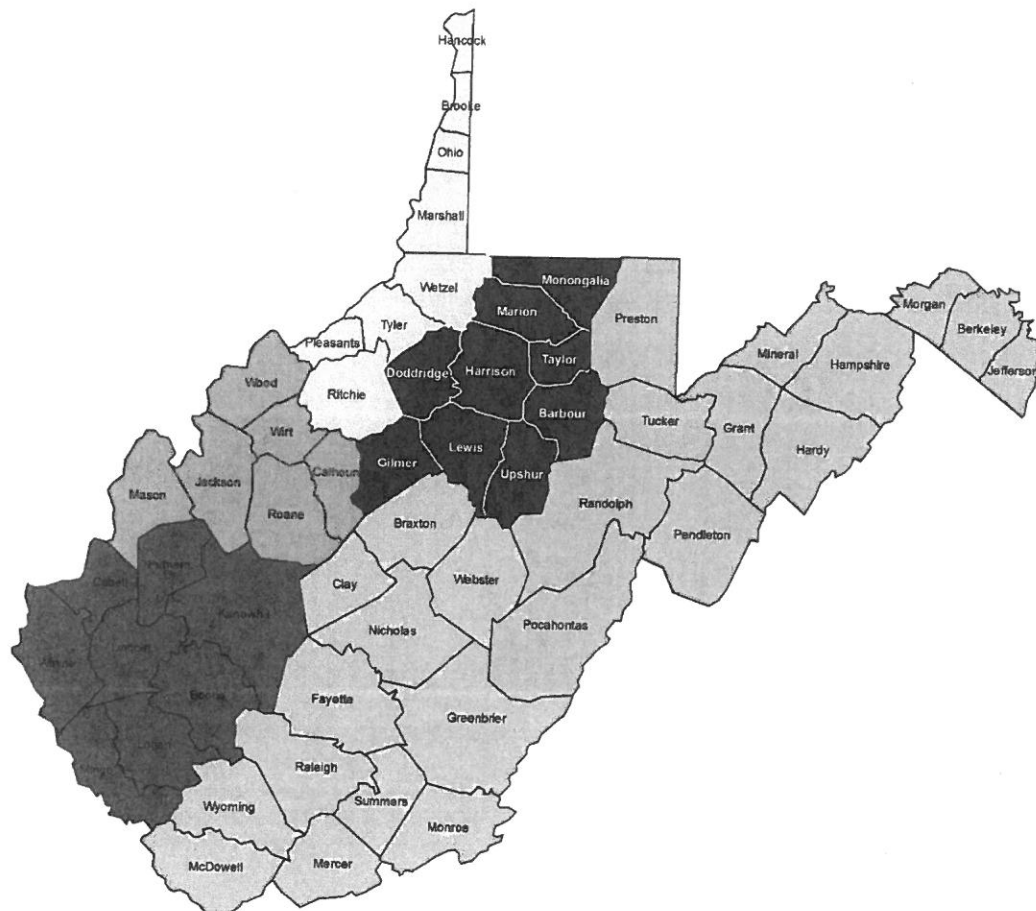
Department of Environmental Protection

Basic Classification: Organizational; Mandated

Function: To use all available resources to protect and restore West Virginia's environment in concert with the needs of present and future generations

Origin: With the enactment of Senate Bill 217 the Division of Environmental Protection was created in October 1991.

Number of Units: 6



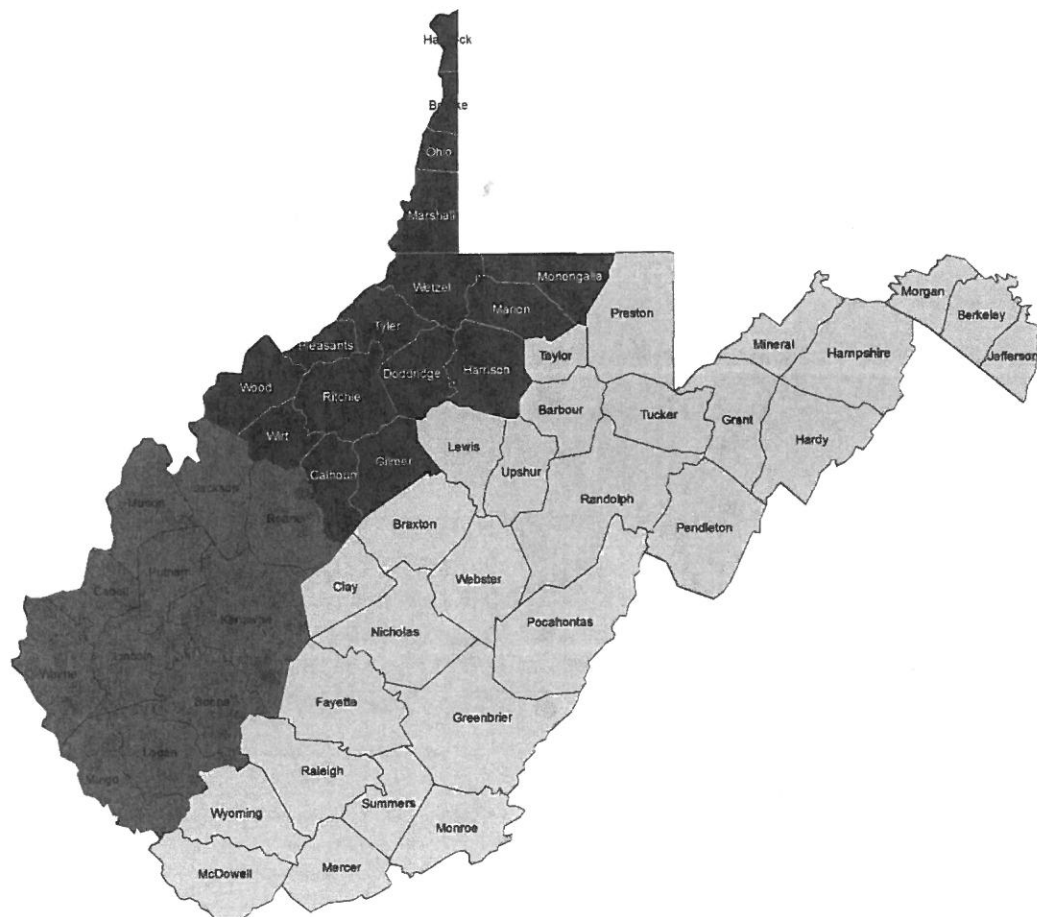
DHHR Regions

Basic Classification: Service Providing; Voluntary

Function: A cabinet-level department of state government, responsible for the state's health and welfare programs and many social services.

Origin: Upon its creation in 1989, the DHHR absorbed existing agencies with health and welfare functions, particularly the Department of Health and the Department of Human Services. These agencies date their origins through various predecessors to West Virginia's early days as a state.

Number of Units: 4

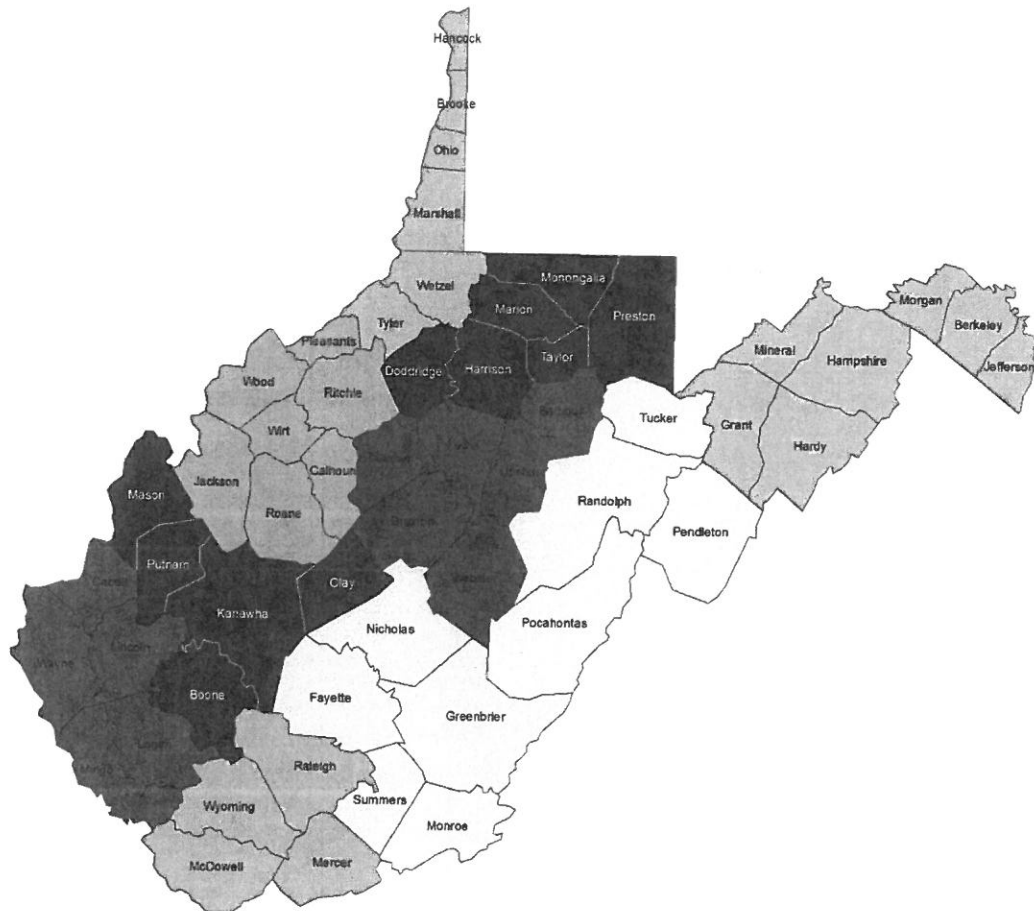


WV Division of Highways Districts

Basic Classification: Service Providing; Voluntary

Function: Responsible for planning, engineering, right-of-ways acquisition, construction, reconstruction, traffic regulation and maintenance of more than 35,000 miles of state roads.

Number of Units: 10

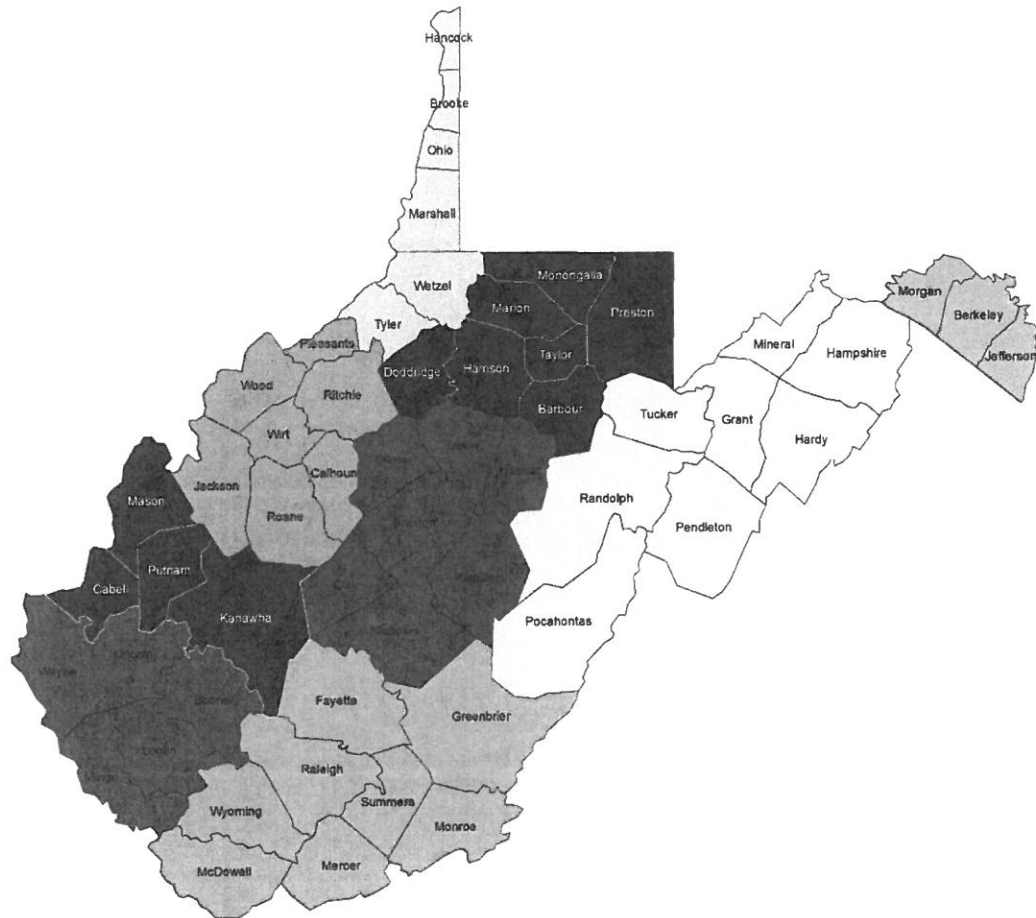


Tourism Department Regions

Basic Classification: Service Providing; Voluntary

Function: To promote tourism and offer the traveler the most accurate destination information

Number of Units: 9

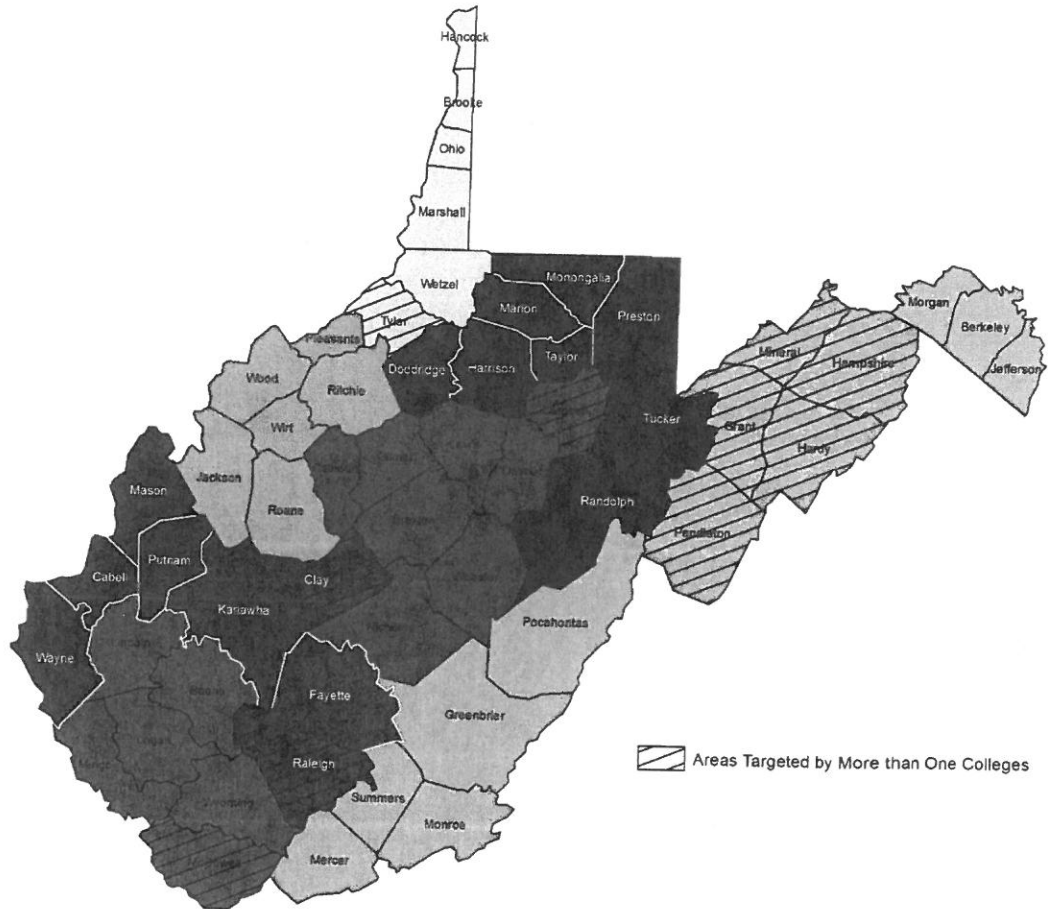


WV Community & Technical College

Basic Classification: Service Providing; Voluntary

Function: Target areas for each state community and technical college.

Number of Units: 9

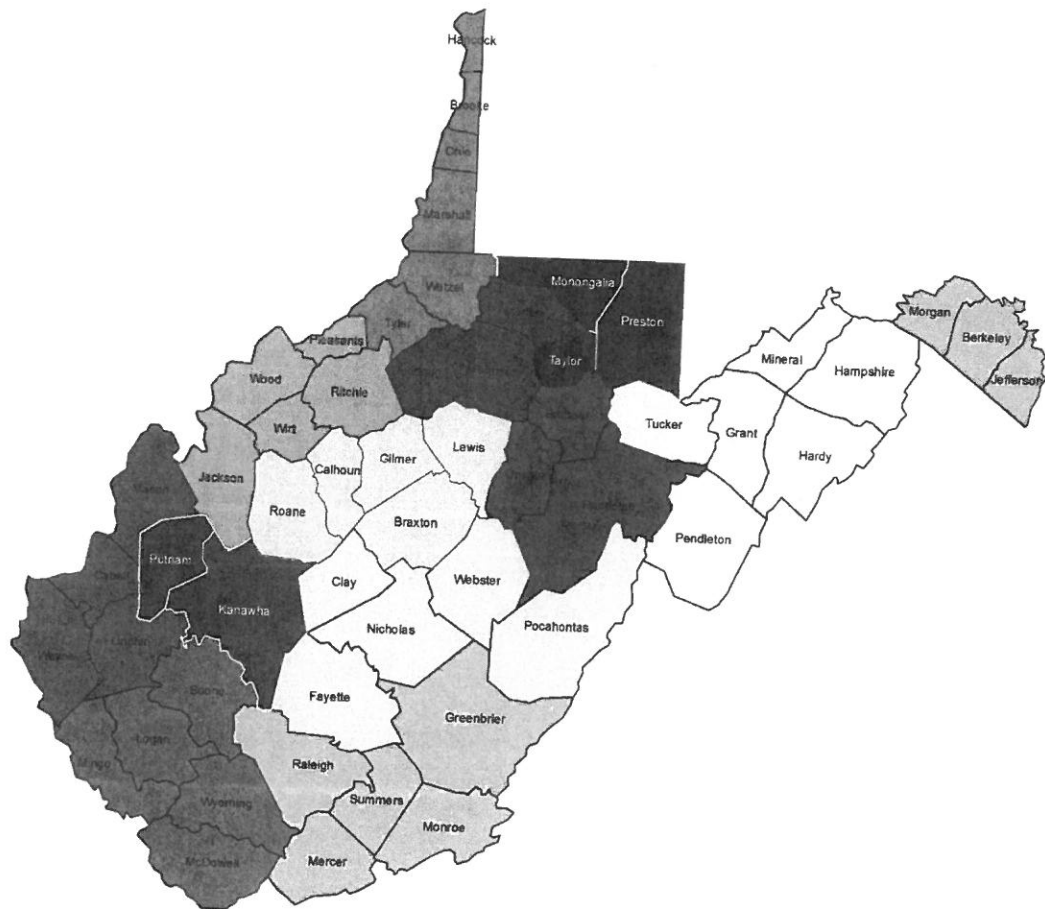


Small Business Development Center

Basic Classification: Service Providing; Voluntary

Function: To promote economic development through a program of practical, interrelated services, providing assistance to existing small businesses and the emerging entrepreneur.

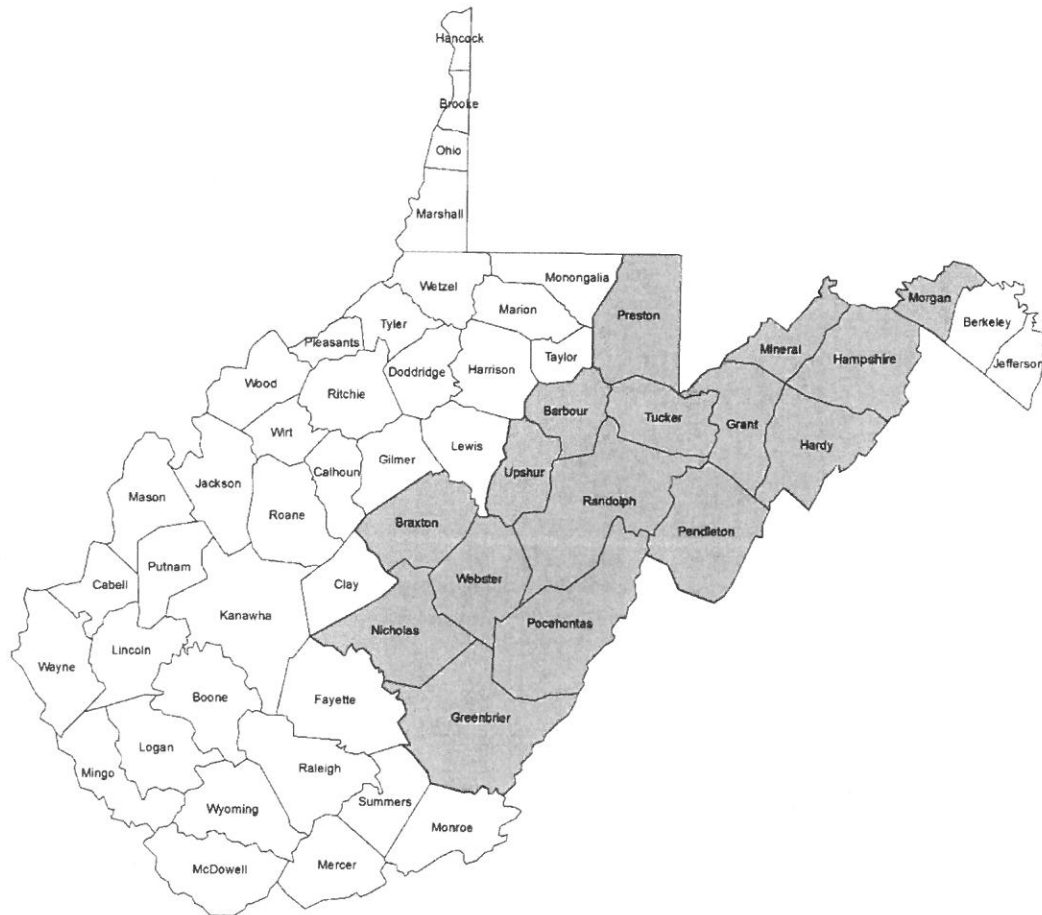
Number of Units: 13



Appalachian Forest Heritage Area

Basic Classification: Service Providing; Voluntary

Function: To integrate central Appalachian forest history, culture, natural history, products, and forestry management into a heritage tourism initiative to promote rural community development



Regional Intergovernmental Council

Basic Classification: Organizational; Voluntary

Function: To provide a mechanism for dealing with planning and development issues on a multi-jurisdictional or regional basis, and to provide a local resource to assist local units of government, especially those which are too small to maintain staffs for grant writing and planning.

Origin: Established in 1968 as a voluntary organization of local elected municipal and county officials, this became the first regional planning and development council in the state of West Virginia.

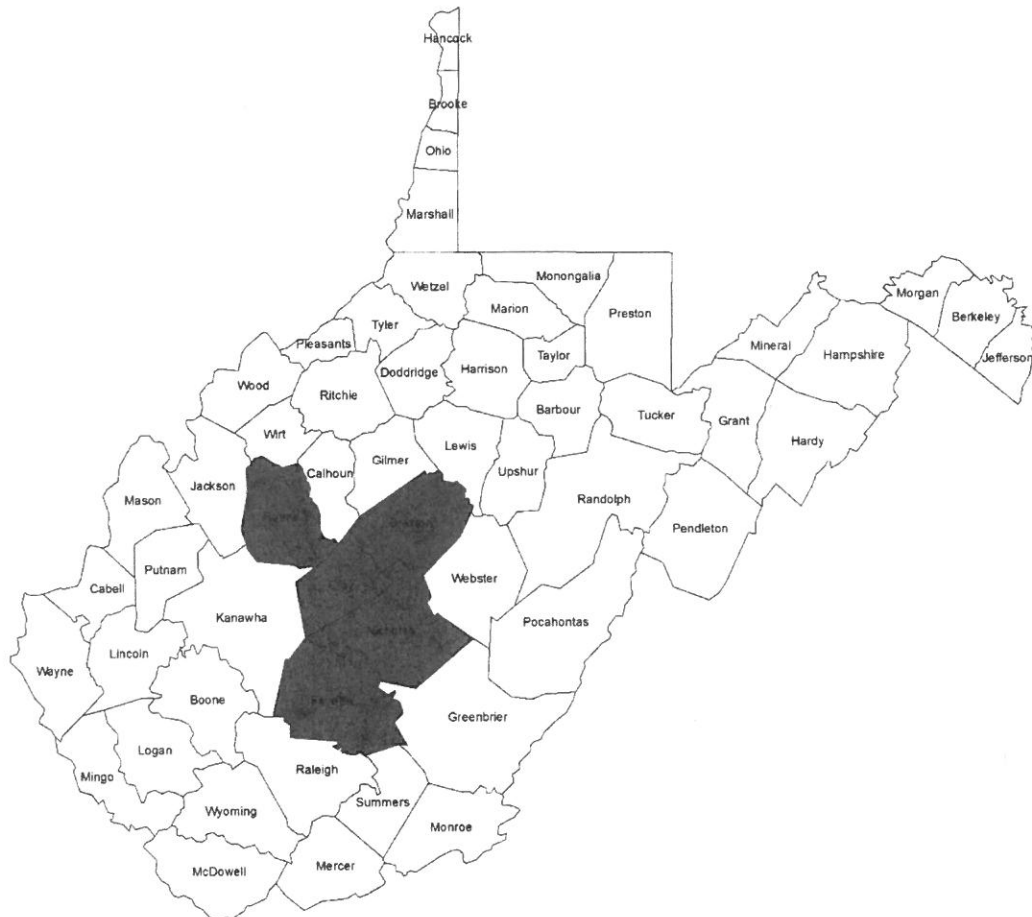


Central Appalachian Empowerment Zone

Basic Classification: Service Providing; Voluntary

Function: To provide performance-oriented, flexible Federal grant funding so communities can design local solutions that empower residents to participate in the revitalization of their neighborhoods.

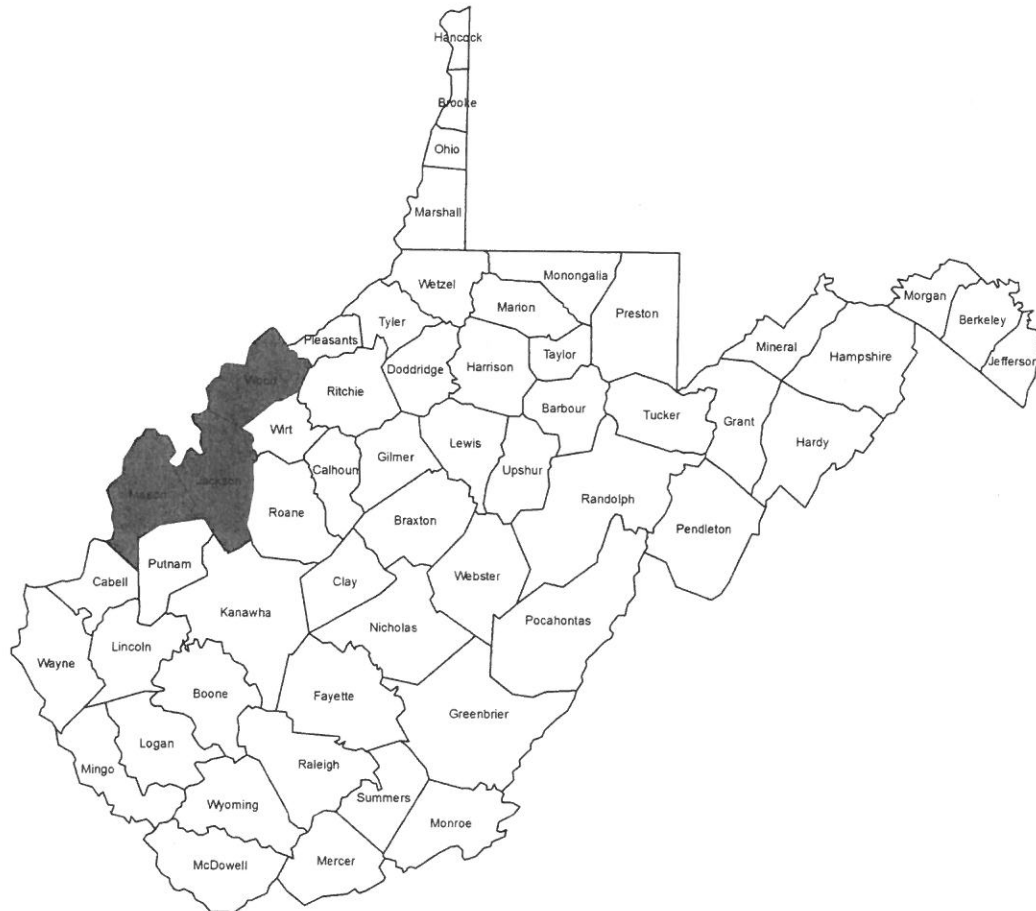
Origin: In 1994, the 5 counties developed a grassroots plan for improving the economy and quality of life of the region



Polymer Alliance Zone

Basic Classification: Organizational; Voluntary

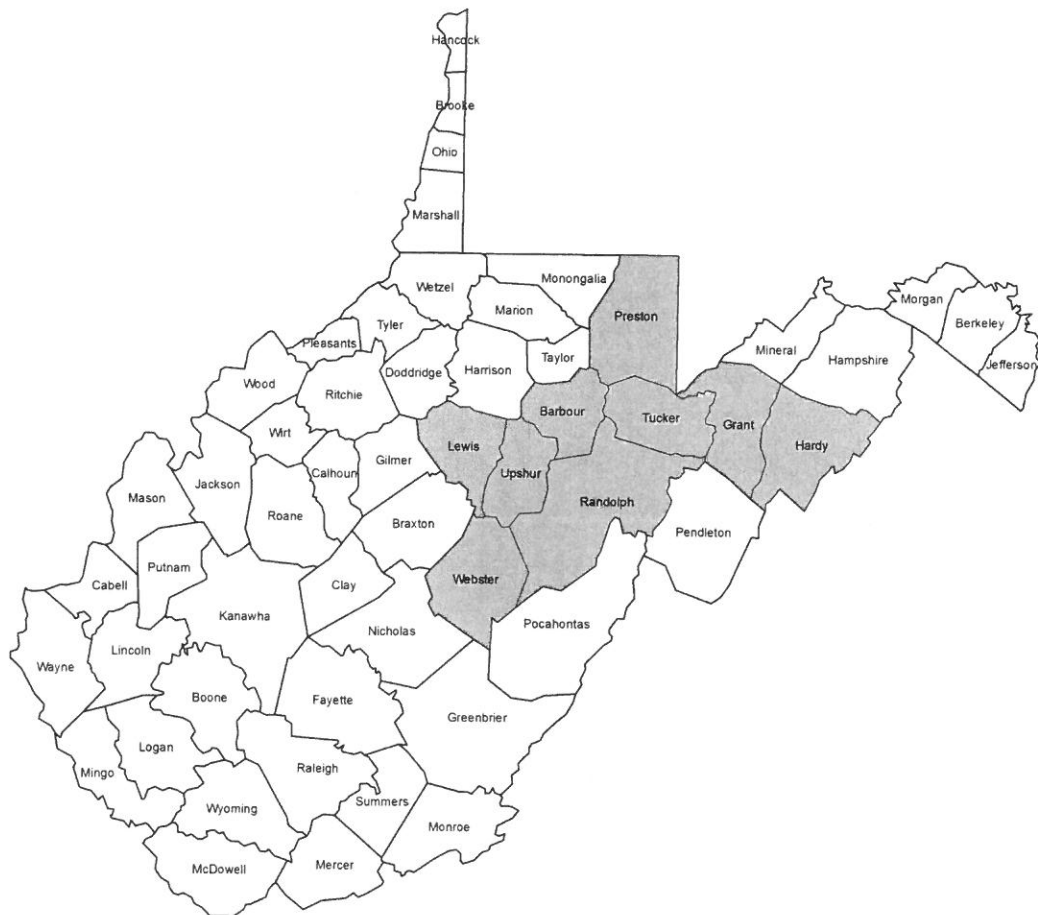
Function: To create the most favorable business climate in the nation for the plastics industry and to produce a world class workforce that is productive, highly trained, and knowledgeable about the plastics industry



Hardwood Alliance Zone

Basic Classification: Service Providing; Voluntary

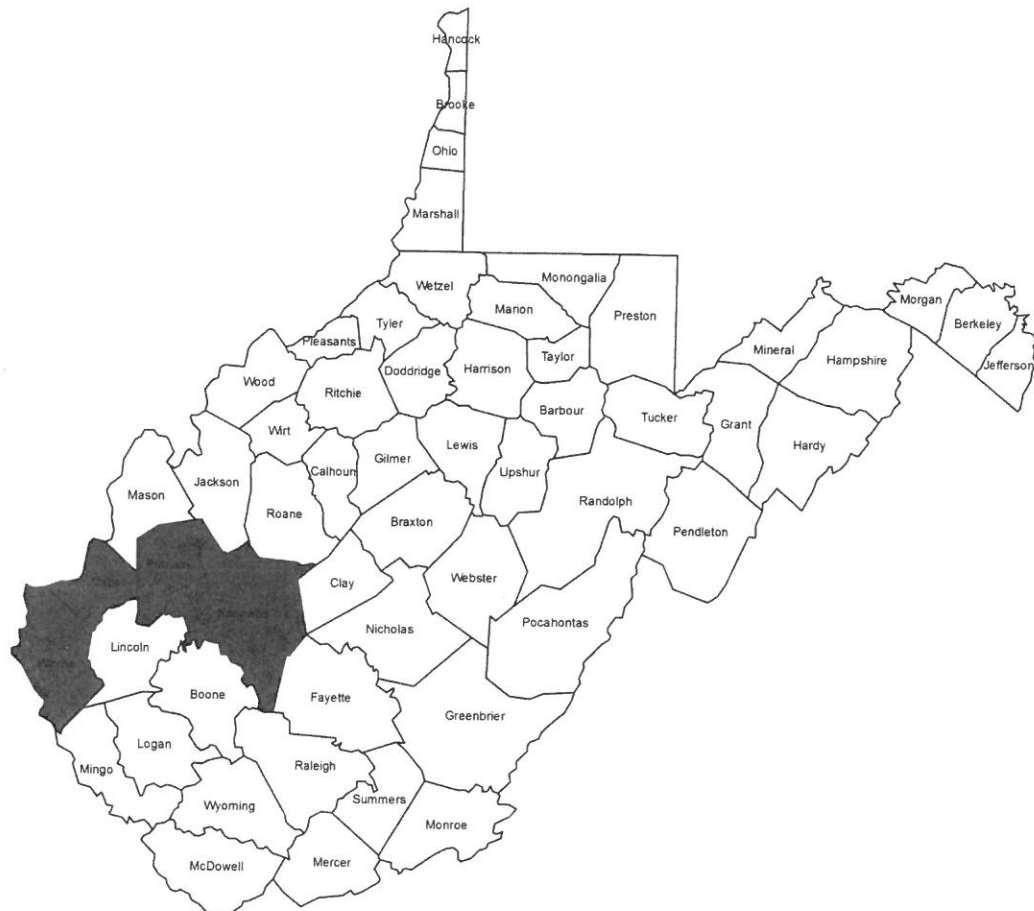
Function: To provide a competitive advantage to the hardwood industry business in relation to relocation, expansion, and development.



Chemical Alliance Zone

Basic Classification: Organizational; Voluntary

Function: To market the region and its resources to attract new investment and encourage joint activities among chemical manufacturing facilities for the purpose of creating new jobs, increasing investment in the state and to attract technology-based industry



WVU Bureau of Business & Economic Research (BBER): 10 Economic Regions

BBER relies on commuting patterns as a means of organizing counties into economic regions for the county forecasting program. Rather than treating each county as an isolated economic entity, this framework recognizes that economic and demographic changes in one county can influence its neighbors. This concept is relevant to local government and public service agencies, as well.

Using the commuting patterns framework, along with recognition of geographic barriers and available highway infrastructure, BBER organizes West Virginia's counties into 10 major regions. These regions are:

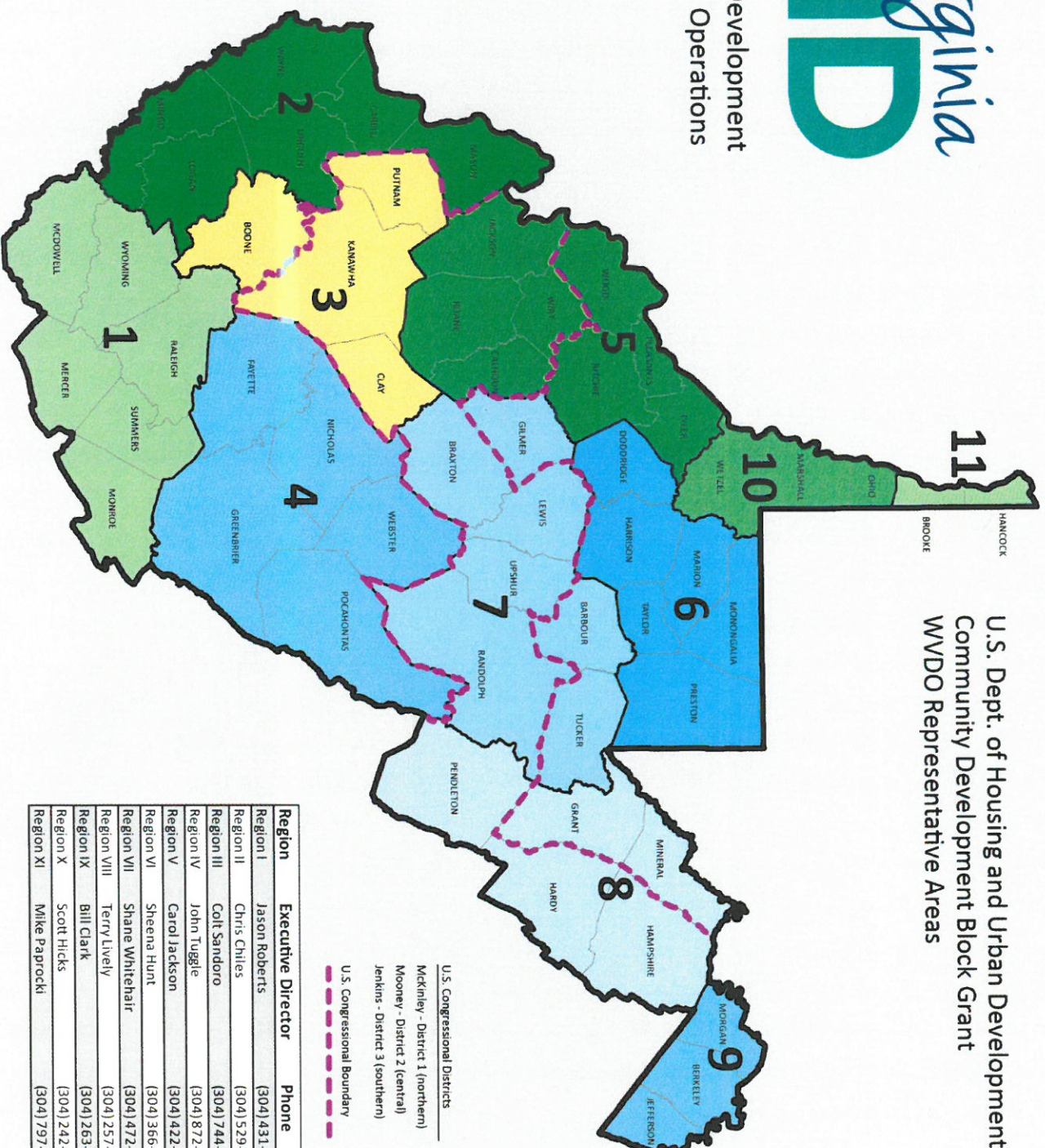
- Southern Coalfields – Logan, McDowell, Mingo, Wyoming
- Greater Beckley Area – Fayette, Greenbrier, Mercer, Monroe, Nicholas, Raleigh, Summers
- Greater Metro Valley – Boone, Cabell, Calhoun, Clay, Jackson, Kanawha, Lincoln, Mason, Putnam, Roane, Wayne
- Parkersburg Area – Pleasants, Ritchie, Wirt, Wood
- Central WV – Braxton, Gilmer, Lewis, Upshur, Webster
- Allegheny Highlands – Barbour, Pocahontas, Randolph, Tucker
- Potomac Highlands – Grant, Hampshire, Hardy, Mineral, Pendleton
- Eastern Panhandle – Berkeley, Jefferson, Morgan
- North-Central WV – Doddridge, Harrison, Marion, Monongalia, Preston, Taylor
- Northern Panhandle – Brooke, Hancock, Marshall, Ohio, Tyler, Wetzel

Potential exists to further subdivide several of these regions vis-à-vis residential population totals, average travel time, etc., so as to create greater balance in economic, demographic and/or geographic representation.



West Virginia CAD

Current Regional Development
& Planning Council Operations



U.S. Dept. of Housing and Urban Development
Community Development Block Grant
WVDO Representative Areas

HB 2935 – Relating to State Flood Protection Planning

Overview:

- Establishing a Joint Legislative Committee on Flooding
- Establishing the Resiliency and Flood Protection Planning Act
- Creating the State Resiliency Office within WVDO
- Establishing a State Resiliency Office Board

Joint Committee on Flooding:

- Senate Members:
 - Ed Gaunch, Co-Chair, Kanawha-R
 - Craig Blair, Berkeley-R
 - Glenn Jeffries, Putnam-D
 - Ronald Miller, Greenbrier-D
 - Chandler Swope, Mercer-R
- House Members:
 - Roger Hanshaw, Co-Chair, Clay-R
 - George “Boogie” Ambler, Greenbrier-R
 - Kayla Kessinger, Fayette-R
 - Stephen Baldwin, Greenbrier-D
 - Dana Lynch, Webster-D

State Resiliency Board:

- Secretary of Department of Commerce, or designee – Secretary Woody Thrasher
- Director of Division of Natural Resources, or designee – Danny Bennett, designee
- Secretary of Department of Environmental Protection, or designee – Rusty Joins, designee
- Executive Director of State Conservation Agency, or designee – Director Brian Farkas
- Secretary of Department of Military Affairs and Public Safety, or designee – Secretary Jeff Sandy
- Secretary of Department of Transportation, or designee – Secretary Tom Smith
- Adjutant General of the WV National Guard, or designee – General James Hoyer
- Director of Homeland Security and Emergency Management, or designee - Jimmy Gianato

Requirements:

- Secretary of Commerce serves as Chair
- Board must meet no less than once each quarter
- Decisions shall be decided by majority vote
- Chair must provide adequate staff from their office
- Chair shall report, at minimum quarterly, to the Joint Legislative Committee on Flooding, activities of the Board to help develop legislative recommendations
- Chair shall submit an annual report to the committee by Dec. 31 of each year, along with recommended legislation, budget requests, and summary of board activities of previous year

Responsibility of State Resiliency Office/Authority of Board:

- Serve as coordinator of all economic and community resiliency planning and implementation efforts
- Annually review the flood protection plan and update no less than biannually
- Recommend legislation to reduce or mitigate flood damage
- Catalog, maintain, and monitor a listing of current and proposed capital expenditures to reduce or mitigate flood damage or other resiliency efforts
- Coordinate planning of flood projects with federal agencies
- Improve professional management of flood plains
- Provide education and outreach on flooding issues to our citizens
- Establish a single web site integrating all agency flood information
- Monitor federal funds and initiatives that become available for disaster recovery and economic and community resiliency
- Pursue additional funds and resources to assist not only with long-term recovery efforts but also long-term community and state-wide resiliency efforts
- Coordinate, integrate and expand planning efforts in the state for hazard mitigation, long-term disaster recovery, and economic diversification
- Coordinate long-term disaster recovery efforts in response to disasters as they occur
- Establish and facilitate regular communication between federal, state, local, and private sector agencies and organizations to further economic and disaster resilience

Main Points

The challenges in the Northern Panhandle are depopulation and brownfields. We need to combine the economic drivers of Wheeling and Weirton so that they can join in planning and resources to address their common problems.

We need to combine Charleston and Huntington, and the corridor, for the same reasons (combine resources, develop a common plan, etc.) into one zone. That one zone will also incorporate the whole of Corridor G that goes into the southern coalfields.

We need to combine the Morgantown, Fairmont, Clarksburg corridor into one zone and extend it down to Weston (and possibly into Flatwoods). Therefore, it all needs to be in one zone to unify and combine resources and planning.

Region 8 counties need to be joined with the eastern panhandle counties which are a major economic driver in the state so that future growth can reach those counties. This will also increase the voice and reduce the isolation of the eastern panhandle counties.

We are combining economic drivers and engines (such as cities, towns) into common zones to develop unified planning and consolidating resources around those drivers.

Benefits of Regional Council Realignment

Strengthens economic and community development in the state by grouping together more economic assets and economic drivers into single regions, thereby allowing better planning and coordination of efforts to sustain and develop them. Many current councils are too small to control sufficient resources to affect growth, or too small to attract sufficient resources to affect growth. The goal is to join more economic assets into one region to better develop them in a more comprehensive and coordinated way.

Better positions the state to attract federal grants and resources by meeting the federal emphasis on projects that are regionally based and show greater regional planning, collaboration, and impacts. The state will be better able to compete with the rest of the nation through councils with larger populations and a larger base of resources.

Better aligns the councils with actual demographic and economic changes that have occurred since the councils were created in the early 1970's. Realignment is needed to reflect the actual situation on the ground in the state, including outmigration and population growth, location of urban centers, and the rise of new economic drivers such as regional trails (E.g., Hatfield-McCoy) and watershed e.g., New River Gorge).

Enhance community and economic development efforts by creating a larger and expanded scale of collaboration, coordination, and planning between initiatives, agencies, and projects. The range of information-sharing, networking, and partnerships is broadened, the scope of planning is enlarged, and coordination between activities is improved. This leads to better efficiencies in the use of limited resources and time.

Improves the sustainability of regional councils by consolidating resources and increasing the number of county and municipal governments that contribute funds for council operations. In this way, future cost increases are spread out over more units of government, lessening the burden for each individually.



COMMUNITY ADVANCEMENT AND DEVELOPMENT
A DIVISION OF THE WV DEVELOPMENT OFFICE

State Resiliency Office
Board Meeting

West Virginia Department of Commerce
Capital Complex, Charleston, West Virginia
Building Three Floor Eight
October 16th, 2017

AGENDA

9:00-11:00am

Welcome Reception and Breakfast

- I. Call to Order & WelcomeJoshua Jarrell, Deputy Secretary & General Counsel
West Virginia Department of Commerce
- II. Overview of House Bill 2935 & Mission of SRO Board.....Mary Jo Thompson, Director
West Virginia Community Advancement and Development
- III. Path Forward
- IV. Council Comments
- V. Other Business
- VI. Adjourn

We make resources a reality!

Community Advancement and Development
State Capitol Complex
1900 Kanawha Boulevard East
Building 3, Suite 700
Charleston, West Virginia 25305
Phone: (304) 558-2234

**Memorandum of Understanding
Between the
West Virginia Department of Homeland
Security and Emergency Management
and the
West Virginia Department of Commerce**

I. PURPOSE

The purpose of this Memorandum of Understanding ("MOU" or "Agreement") is to establish procedures by which the West Virginia Department of Homeland Security and Emergency Management (WVDHSEM) may exchange data, subject to the Privacy Act, with the West Virginia Department of Commerce (WVDOC) represented by H. Wood Thrasher, Secretary of the Department of Commerce. The exchange of this information is important to identify unmet needs of damaged homes and businesses under federal disasters, and identify the most appropriate program, either disaster recovery or other, administered by WVDOC or WVDHSEM to meet the needs of those in need of assistance and eligible to be served by the program.

II. BACKGROUND

The WVDOC received CDBG-DR supplemental funding allocation under Public Law 114-223 dated September 29, 2016 and Public Law 114-254 dated December 10, 2016. The Secretary of U.S. Department of Housing and Urban Development (HUD) distributed supplemental funds across multiple states for "necessary expenses for activities authorized under Title I of the Housing and Community Development Act of 1974 (Public Law 93-383) related to disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas resulting from a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 (42 U.S.C. 5121 et seq.) (Stafford Act)." The State of West Virginia's direct allocation provides eligible funds for all counties with major declarations.

The purpose of this program is to provide grants/loans to survivors of applicable declared federal disaster.

The WVDHSEM administers the FEMA Hazard Mitigation Grant Program (HMGP). The purpose of HMGP is to help communities implement hazard mitigation measures following a Presidential Major Disaster Declaration in the areas of the state, tribe, or territory requested by the Governor or Tribal Executive. The key purpose of this grant program is to enact mitigation measures that reduce the risk of loss of life and property from future disasters.

The WVDOC is providing the required matching funding to WVDHSEM for the HMGP through the CDBG-DR program; thus, the coordination, planning and sharing of data between the two agencies is critical to maximize efficiency of both programs realizing the broadest benefit for the State.

III. AUTHORITY

The legal authority for sharing this information is § 312(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. § 5155), which authorizes agencies to ensure that assistance provided by each is not duplicated by another source.

The information requested with this Agreement will be provided pursuant to 44 CFR 206.110(j)(1)(ii), and the "routine use" provision of the Privacy Act of 1974. Disclosure of this information under routine use (H)(1) of DHS's FEMA-008, Disaster Assistance Recovery Files, Notice of System of Records (74 Federal Register 48763, 48765-6, September 24, 2009).

IV. ROLES AND RESPONSIBILITIES

A. WVDHSEM will:

1. Provide the information requested by WVDOC as pertinent to eligibility of CDBG-DR Programs and related to HMGP applicants. Such information could include, but is not limited to an applicant's name, address, phone number, email address and any other applicable information necessary to contact the clients and determine which program, if any, administered by WVDOC or WVDHSEM is an appropriate source of assistance for the applicant.
2. Provide a point of contact person to facilitate and participate in routine communication between WVDHSEM and WVDOC.

B. The WVDOC will:

1. Provide WVDHSEM with a detailed list of CDBG-DR program applicants that are not eligible for the CDBG-DR program in order to determine whether these same applicants are eligible for the WVDHSEM programs.
2. Upon the request of WVDHSEM, provide WVDHSEM with information regarding current CDBG-DR applicants for purposes of cross referencing data.
3. Provide a point of contact person to facilitate and participate in routine communication between WVDOC and WVDHSEM.

V. POINTS OF CONTACT

WVDHSEM

Jimmy Gianato
Director
1900 Kanawha Blvd, E
Charleston, WV 25305
Jimmy.J.Gianato@wv.gov

WV Department of Commerce

Russell Tarry
Dep. Director, WVCAD, WV Development. Office
1900 Kanawha Blvd., E., Bldg. 3, Suite 600
Charleston, WV 25305
Russell.W.Tarry@wv.gov

VI. TERM, TERMINATION AND AMENDMENT

This Agreement will take effect when signed by both parties and continue for 24 months unless sooner terminated. This Agreement may only be amended upon written mutual consent of both parties. Either party may terminate its participation with 30 calendar days written notice to the other party.

VII. PROTECTION OF DATA

Any data obtained from the other party may only be used for the purposes set forth in this MOU, namely determining eligibility of applicants to the programs administered by both parties. All personal and confidential information provided by WVDHSEM pursuant to this Agreement belongs to, and will remain the property of WVDHSEM. The WVDOC agrees to strictly control the use and retention of any personal and confidential information provided by WVDHSEM so that only personnel approved by the Secretary, or his designee, have access to such information. No further dissemination or use of material provided by WVDHSEM is authorized without written permission of WVDHSEM. Any outside request for personal and confidential information provided by WVDHSEM pursuant to this Agreement must be referred to the WVDHSEM point of contact named in this Agreement. Each party's responsibility to protect personal and confidential data from unauthorized disclosures will survive the term of this Agreement.

Both parties agree that information will be transmitted in a secure manner to protect sensitive and personally identifiable information (PII).

The data covered by this MOU will be transmitted and then retained in electronic format to be retrieved only by authorized personnel as described in this MOU and only for official government use. Upon the close-out of any program for which data was provided, the source data provided by either WVDHSEM or WVDOC shall be discarded in a manner to ensure privacy and the protection of all such data.

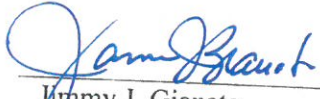
VIII. GENERAL TERMS

- A. Nothing in this Agreement is intended to conflict with current law(s), regulation(s), or the directives of WVDHSEM. If a provision in this Agreement is found to be inconsistent with such authority, then that provision shall be reviewed and modified or annulled as agreed to by WVDHSEM and the WVDOC in writing, but the remaining provisions of this Agreement shall remain in force and effect unless otherwise noted.
- B. WVDHSEM and the WVDOC further recognize that the shared information is subject to the rights of audit and inspection of various federal and state agencies and the disclosure of such information may be required by law.
- C. All records and data will be subject to existing federal and state record retention requirements.

IX. SIGNATURE

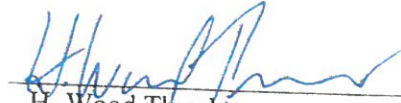
The signatories below represent that they have the authority to make such commitments on behalf of their respective organizations.

West Virginia Department of Homeland
Security and Emergency Management


Jimmy J. Gianato
Director

10/12/17
Date

West Virginia Department of Commerce


H. Wood Thrasher
Cabinet Secretary

10/11/17
Date

Governor's Recovery & Alliance Session: Read-Ahead Document

Purpose of Summit

Thank you for agreeing to participate in the Governor's Recovery & Alliance Session. The purpose of the session is to develop an overarching, unified strategy that multiple state and federal agencies will use to guide recovery funding decisions related to the June 2016 flood event. This unified strategy should enable informed decision-making by senior leadership at all levels: local, state, and federal. As a first step in creating this unified strategy, this session will convene senior level state and federal officials to build consensus on strategic priorities, a framework for the strategy, and a path forward and timeframe for the strategy's development. While the session will focus on how to maximize almost \$700 million in funding available following flooding in June 2016, this approach can be applied to future resource allocation and funding decisions that will enhance West Virginia's resilience while also spurring economic development and creating jobs.

Preparation

Each participant from the State Resiliency Board is encouraged to bring one individual to the session to serve as the **action officer** for their respective agency. This individual will stay for the entirety of the event and be available to represent their entity in subsequent meetings. The recovery session will set the priorities for the state, and the action officers will work to get the priorities and strategies implemented through collaborative efforts and the production of an action plan. This will require availability to work with other action officers until the project is complete.

Role of the Action Officer

The action officer will be the point of contact and participant for all subsequent meetings regarding the implementation of the priorities/strategies developed at the session. They should have a working knowledge of the agency's programs, resources and authorities and be available to meet and represent their respective agency through implementation.

**Federal partners will serve in an advisory/consulting role to action officers during implementation process.*

Invitees

Agency	Name	Position
WV Governor's Office	Mike Hall	Chief of Staff
WV Department of Commerce	Woody Thrasher*	Cabinet Secretary
WV Department of Military Affairs	Jeff Sandy*	Cabinet Secretary
WVNG	James Hoyer*	Adjutant General
WV DHSEM	Jimmy Gianato*	Director
WV Conservation Agency	Brian Farkas*	Director
WV DEP	Austin Caperton*	Cabinet Secretary
WV DOT	Tom Smith*	Cabinet Secretary
WV DHHR	Bill Crouch*	Cabinet Secretary
WV DNR	Stephen McDaniel*	Director
WV Dept. of Agriculture	Kent Leonhardt*	Commissioner
VOAD	Jenny Gannaway	Director
US Senate	Shelley Moore Capito	Senator
US Senate	Joe Manchin	Senator
US House of Representatives	Alex Mooney	Representative
US House of Representatives	Evan Jenkins	Representative
US House of Representatives	David McKinley	Representative
HUD	Joe DeFelice	Region III Administrator
FEMA	MaryAnn Tierney	Region III Administrator
EDA	Linda Cruz-Carnall	Regional Director

*Member of the State Resiliency Office Board

Session Details and Agenda

Date: Tuesday, November 7, 2017

Time & Location

Session 1: 9 – 11 a.m. (Senior Officials & Action Officers)
Governor's Cabinet and Conference Room

Session 2: 11 a.m. – 12:15 pm (Action Officers Only)
Building 3, 8th Floor Conference Room

Agenda Item	Presenter	Duration	Time
Welcome & Introductions	Governor's Office	10 minutes	9 - 9:10 a.m.
Review Recovery Progress & Best Practices	FEMA (TBD)	15 minutes	9:10 - 9:25 a.m.
Overview of Meeting Purpose & Objectives Session #1: Identify and Agree to State Recovery Priorities Session #2: Draft Action Plan for Achieving State Recovery Priorities	Facilitator	10 minutes	9:25 - 9:35 a.m.
OBJECTIVE #1: Identify and Agree to State Recovery Priorities (Senior Officials) - Identify Recovery Priority Areas - Opportunities to Strategically Align Disaster Funds - Validate Discussion & Confirm Commitments <i>INTENDED OUTCOME: Agreed upon Priorities for 2016 Flood Funding and Framework for Next Steps to be executed by Action Officers</i>	Facilitator	85 minutes	9:35 – 11 a.m.
Break & Dismissal of Senior Officials		10 minutes	11 – 11:10 a.m.
OBJECTIVE #2: Draft Action Plan for Achieving State Recovery Priorities (Action Officers) - Discuss Role of Action Officers - Draft an Outline for an Action Plan Including Estimated Timelines and Next Meeting <i>INTENDED OUTCOME: Draft Action Plan Outline Based on Outcomes from Senior Officials Discussion</i>	Facilitator	50 minutes	11:10 a.m. – noon
Closing Remarks/ Debrief	Facilitator	15 minutes	Noon – 12:15 p.m.

Proposed Funding Allocations (HMGP & CDBG-DR Only)

Housing

Funding Source	Amount
HMGP Acquisition/Demolition	\$26,793,051.38
HMGP Mitigation/Reconstruction	\$7,048,580.00
HMGP Elevation	\$1,095,215.00
CDBG-DR Reconstruction/ Rehabilitation	\$71,899,250.00
CDBG-DR Rental Assistance	\$16,000,000.00
CDBG-DR Bridge Program	\$2,080,000.00
CDBG-DR Multi-Family Rental Housing	\$5,875,000.00
CDBG-DR Match for HMGP	\$12,440,000.00
TOTAL	\$143,231,096.38

Infrastructure

Funding Source	Amount
HMGP	\$19,224,202.00
CDBG-DR	N/A
TOTAL	\$19,224,202.00

Economic Development

Funding Source	Amount
HMGP	N/A
CDBG-DR Restore Riverview Project	\$5,712,000.00
CDBG-DR Economic Development Program	\$12,500,000.00
CDBG-DR Slum and Blight Removal	\$5,875,000.00
TOTAL	\$24,087,000.00

Disaster Planning/Preparedness

Funding Source	Amount
HMGP	\$3,212,000.00
CDBG-DR	\$10,000,000.00
TOTAL	\$13,212,000.00

FEMA: Hazard Mitigation Grant Program (HMGP)

1. Program Overview

- a. FEMA describes hazard mitigation as “sustainable actions taken to reduce or eliminate long-term risk to people and property from future hazards”.
- b. The Hazard Mitigation Grant Program, authorized under Section 404 of the Robert T. Stafford Act, provides states, tribes and local governments funding to implement actions designed to reduce future damages after a presidentially declared disaster.
- c. States, tribes or communities interested in pursuing funding for projects under HMGP must participate in and adopt a State, Tribal or Local Hazard Mitigation Plan. Mitigation Plans help communities identify risks and serves as a guide for decision-makers to develop potential mitigation measures to reduce or eliminate future damages.
- d. Applications for funding through the HMGP program are developed by local communities then submitted to West Virginia Department of Homeland Security and Emergency Management (WVDHSEM) for their review and prioritization. The WVDHSEM then submits project applications to FEMA for review and approval.
- e. Roles and Responsibilities:

Authority	Role and Responsibility
Local Jurisdiction	Develops project applications on behalf of the community, individuals and businesses
State or Tribal Governments	Establishes the priorities for mitigation funding. Reviews and prioritizes applications submitted and selects those applications that will be submitted to FEMA for consideration.
FEMA	Conducts a final eligibility review to ensure that all applications and proposed projects comply with federal regulations. Provides approval and funding to states for approved projects.

Individuals and businesses cannot directly apply for funding through the HMGP program but can work with their designated community official to apply.

- f. Mitigation benefits include:
 - i. Creating safer communities by reducing loss of life and property,
 - ii. Enabling individuals and communities to recover more rapidly from disasters, and
 - iii. Lessening the financial impact of disaster recovery.

According to a study completed by the Multihazard Mitigation Council, for every \$1 spent on mitigation projects, an average of \$4 is saved in future recovery spending.

2. Current Status

- a. As a result of the June 2016 flooding, \$69 million (\$52 million federal share and an additional \$17 million state share) has been made available for mitigation projects through the HMGP program.
- b. As of October 3, 2017, 86 projects have been submitted to WVDHSEM estimating a total of \$60.5 million to be spent.
- c. Sixty-four of the 86 projects submitted to WVDHSEM are located within counties that have been designated as disaster areas under the June 2016 Presidential Disaster Declaration.

3. Current Project Breakdown

Project Type	# of Applications	% of Overall Grant	Cost Per Project Type
Acquisitions	44	44	\$26,793,051.38
Reconstruction	12	12	\$7,048,580.00
Elevations	3	2	\$1,095,215.00
Infrastructure Improvements	7	32	\$19,224,202.00
Generators	17	5	\$3,219,901.53
Studies/Planning Projects	3	5	\$3,212,000.00
TOTAL	86	100%	\$60,592,949.91

4. Upcoming Deadlines

- a. Applicant (local government) deadline for submission is November 3, 2017.
- b. State deadline to submit to FEMA is December 22, 2017.
- c. An extension to the December 22, 2017 application deadline could be requested by WVDHSEM to extend the period of availability to March 23, 2018.

HUD: Community Development Block Grant-Disaster Recovery Program

1. Program Overview

- a. 12 counties eligible for assistance.
- b. 80% of the total grant amount must benefit the Most Impacted and Distressed (MID) areas determined by HUD to be Kanawha, Greenbrier, Clay and Nicholas counties.
- c. 70% of the total funds must benefit low to moderate income (LMI) persons.

2. Current Status

- a. Total of \$149 million available for disaster recovery projects.
- b. The Grant Agreement was executed on September 18, 2017.
- c. Initial appropriation of \$104 million has been approved by HUD. \$45 million allocation is going through public review process and will be submitted to HUD.
- d. Public outreach and applicant intake began on August 1, 2017.
- e. The program has 2 static service centers: Charleston and White Sulphur Springs. Mobile intakes are performed in affected cities multiple times per week.
- f. Approximately 1,100 applicants have been screened for the housing program, with over 700 conditionally approved.
- g. Construction contractors competitively procured in June 2017 and placed under contract in July 2017.
- h. The State is currently performing a Tier 1 review to evaluate and analyze environmental impacts related to the proposed activities. This review is expected to be complete and approved by HUD in late November 2017.
- i. Construction activities are expected to begin in December 2017.

3. Current Project Breakdown

Project Description	Traunch 1	Traunch 2	Traunch 3	Total
RISE WV Housing Restoration Program	\$64,378,950		\$7,520,300	\$71,899,250
RISE WV Rental Assistance Program	\$16,000,000			\$16,000,000
HMGP Match	\$12,440,000			\$12,440,000
Bridge Home Program	\$2,080,000			\$2,080,000
Restore Riverview Project	\$2,500,000	\$3,212,000		\$5,712,000
RISE WV Slum and Blight Removal Program			\$5,875,000	\$5,875,000
RISE WV Multifamily Rental Housing Program			\$5,875,000	\$5,875,000
RISE WV Economic Development Program			\$12,500,000	\$12,500,000
Planning	\$1,667,050		\$8,332,950	\$10,000,000
State Administration	\$5,214,000		\$2,279,750	\$7,493,750
TOTAL	\$104,280,000	\$3,212,000	\$42,383,000	\$149,875,000

4. Upcoming Deadlines

- a. Applicant (individual homeowner) deadline for the “Housing Restoration Program” and the “Rental Assistance Program” is November 30, 2017.
- b. Substantial amendment to the action plan for \$45 million is due November 12, 2017.

FEMA Public Assistance

1. Program Overview

PA Reimbursement Program for Infrastructure allows for the return of 75% federal share cost to eligible applicants impacted.

2. Current Status

- a. 18 counties declared for Public Assistance with 133 requests received.
- b. 982 projects estimated at \$416 million.
- c. \$107 million obligated to date (federal share).
- d. 742 total properties to be demolished through Private Property Debris Removal (PPDR) program.
- e. 25 schools impacted with 5 considered substantially damaged.

3. Current Project Breakdown

Project	# of Projects	Cost Per Project Type (Federal Share)
WV Division of Highways	583	\$ 33,138,585
WVNG	10	\$ 2,474,757
SBA (Schools)	10	\$ 178,342,354
WVDHSEM	31	\$ 5,827,976
DEP	2	\$ 787,500
Municipalities	279	\$ 31,481,806
County School Boards	55	\$ 33,018,413
PPDR	742	\$ 4,902,085
Management Costs		\$10,000,000
TOTAL		\$299,973,476

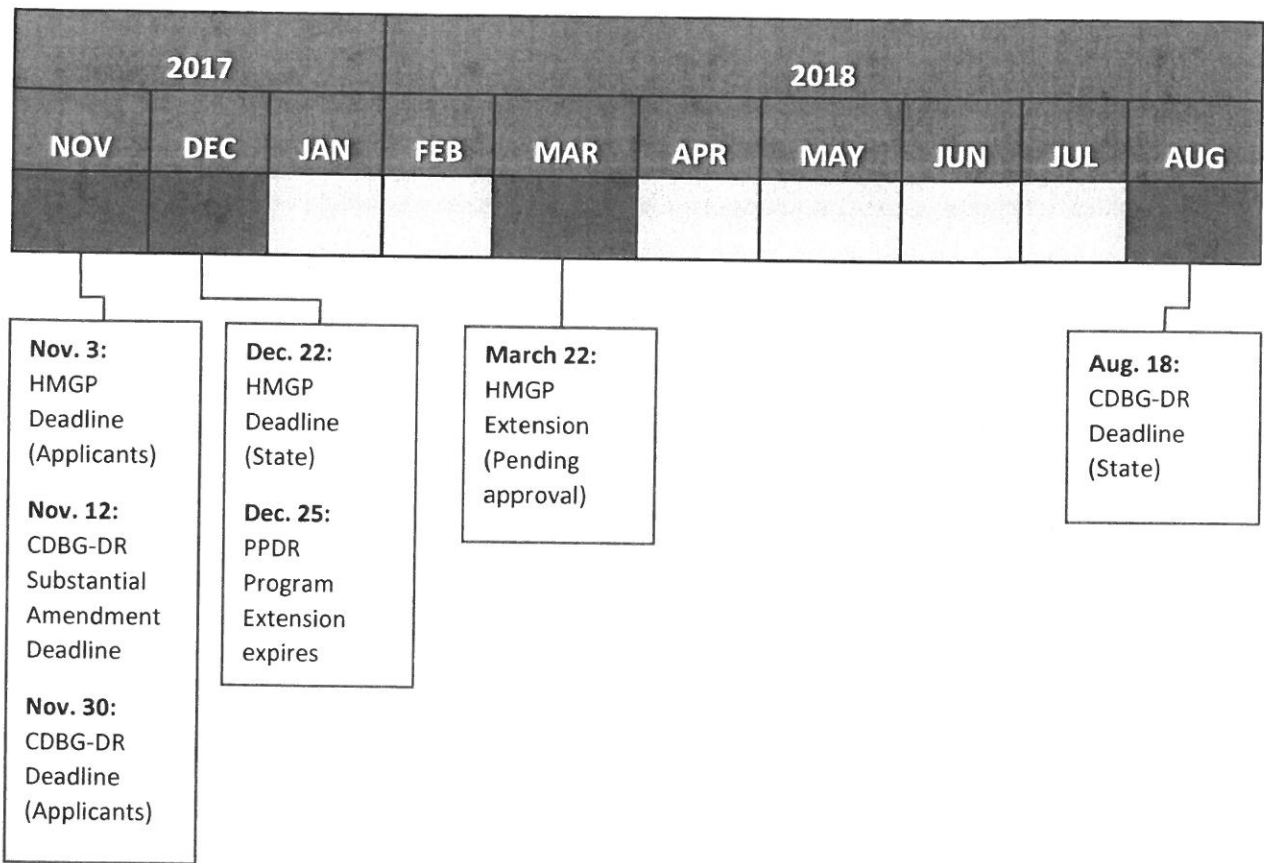
4. Upcoming Deadlines

- a. PPDR extension ending December 25, 2017.
- b. Contract demolition work extended until April 15, 2018.

Federal Assistance Overview

Funding Type	Total Federal Allocation	State Match	Purpose of Funding
Public Assistance (PA)	\$305,500,000	\$102,000,000	Debris removal, emergency protective measures, and the repair, replacement, or restoration of disaster-damaged publicly-owned facilities
HUD CDBG-DR	\$149,000,000	-	Housing, economic development, infrastructure
Hazard Mitigation Grant Program (HMGP)	\$52,000,000	\$17,400,000	Housing and infrastructure
Mission Assignment	\$108,000,000	\$36,000,000	Completion of specified tasks by other feds in response to a Stafford Act event.
Small Business Administration (SBA) Loans	\$53,000,000	-	Home and business loan program
(IA) Housing Assistance	\$35,600,000	-	Home repair and rental assistance
(IA) Other Needs Assistance	\$5,100,000	\$1,680,000	Medical and dental expenses, funeral expenses, personal property, transportation
Disaster Case Management Grant	\$5,820,000	-	Disaster case management services
National Dislocated Workers Grant	\$3,500,000	-	Employment for displaced workers
(IA) Regular Service Program	\$2,200,000	-	Crisis counseling services
MHU Mission	\$5,580,000	-	Hauling, installation, maintenance and de-activation of all MHUs
406 Mitigation	\$1,280,000	-	Mitigation measures in conjunction with the repair of disaster-damaged facilities
Immediate Needs Assistance	\$810,000	\$270,000	Survivor supplies for victims
(IA) Immediate Service Program	\$304,000	-	Crisis counseling services
106 Mitigation	\$250,000	-	Mitigation efforts that consider the effects of actions on historic properties
Disaster Unemployment Assistance	\$213,000	-	Unemployment assistance
Total (Non-Management)	\$728,157,000	\$157,350,000	
PA Section 324 Management Costs	\$10,000,000	-	Indirect costs and administrative expenses
HMGP State Management Costs	\$2,500,000	-	Indirect costs and administrative expenses
Total (State Management Only)	\$12,500,000		

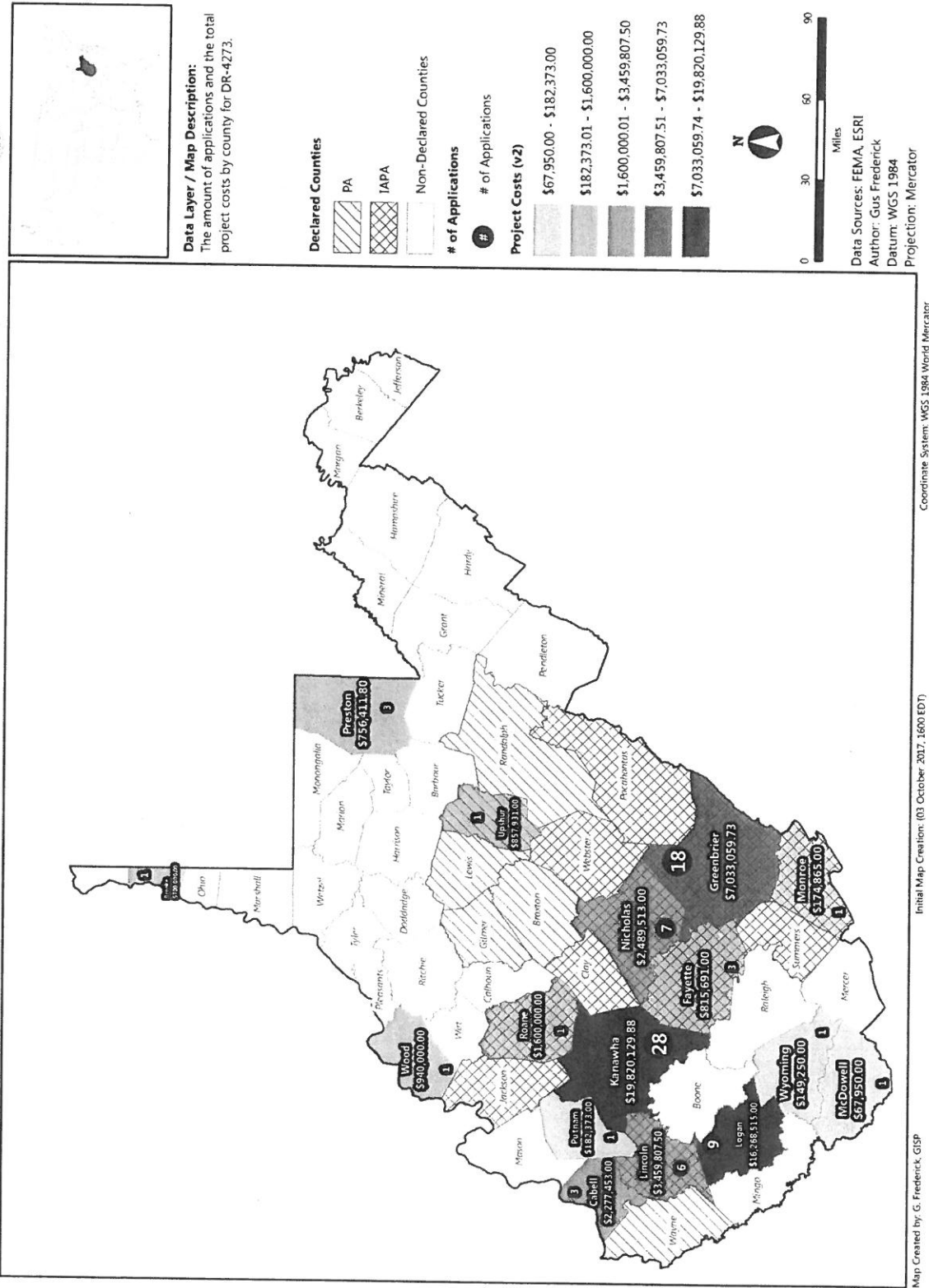
Summary of Deadlines



Map



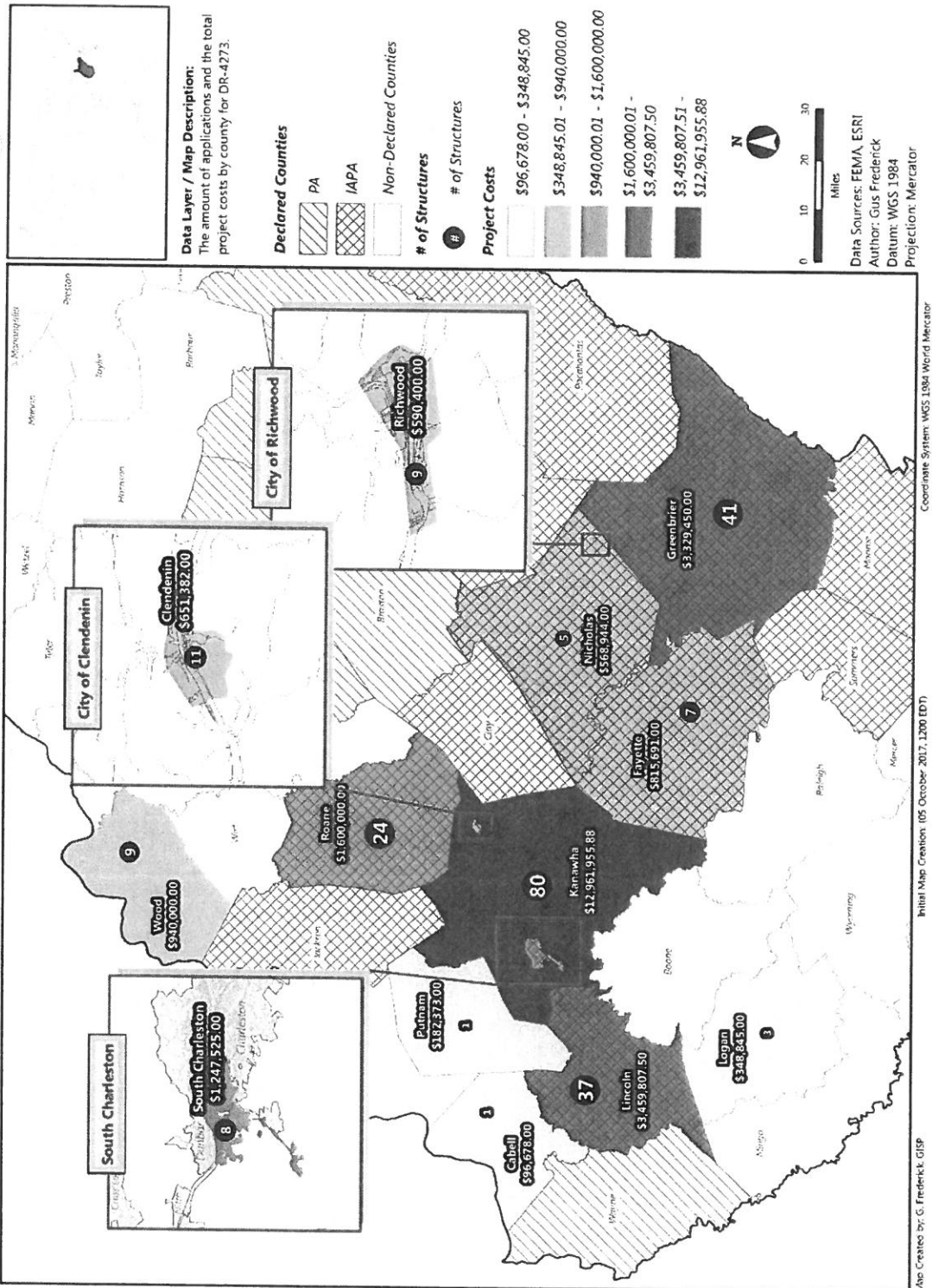
FEMA 4273-DR, West Virginia Flooding Hazard Mitigation Grant Program: Applications and Project Costs





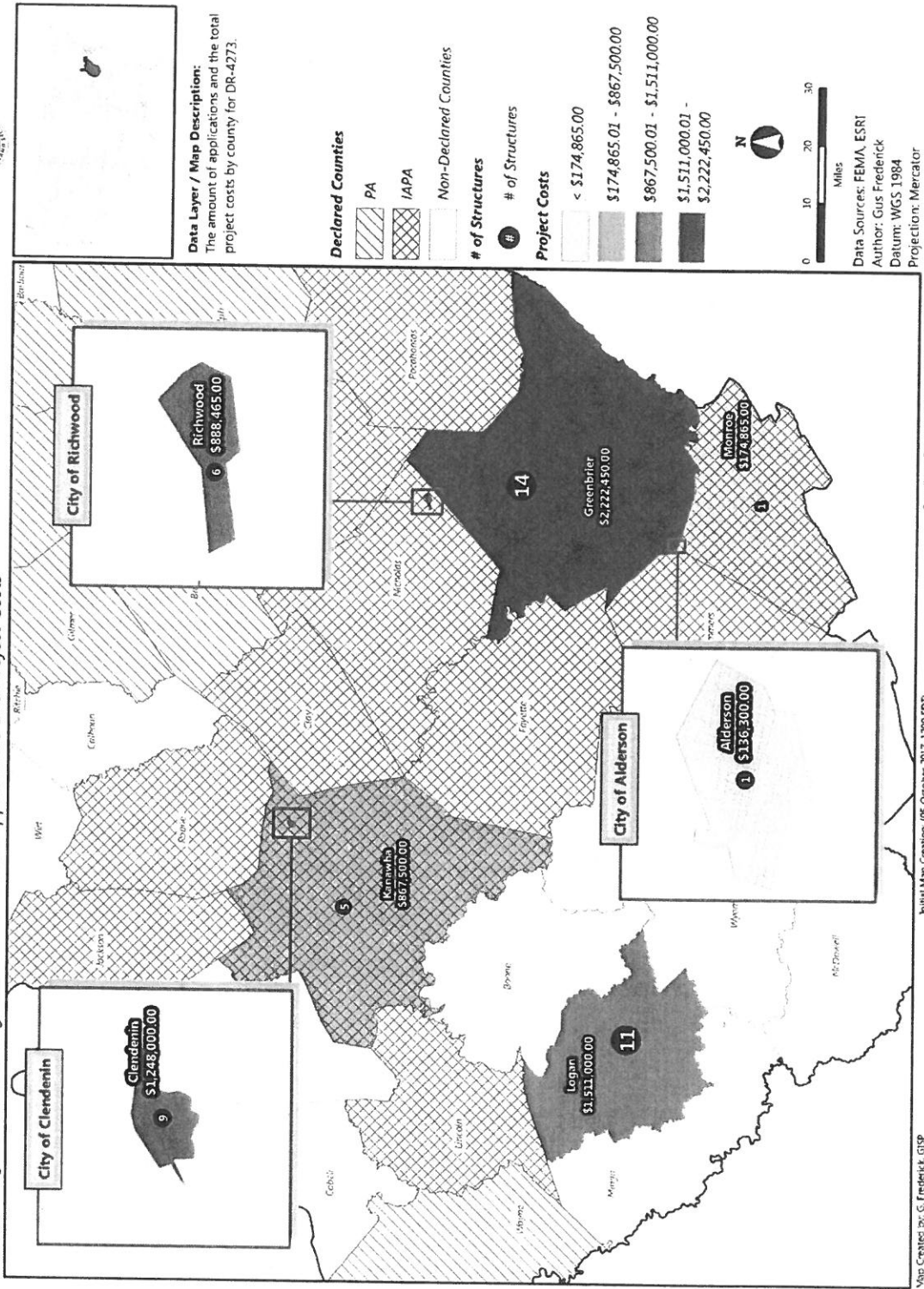
FEMA 4273-DR, West Virginia Flooding

Hazard Mitigation Grant Program: Acquisition Applications and Project Costs





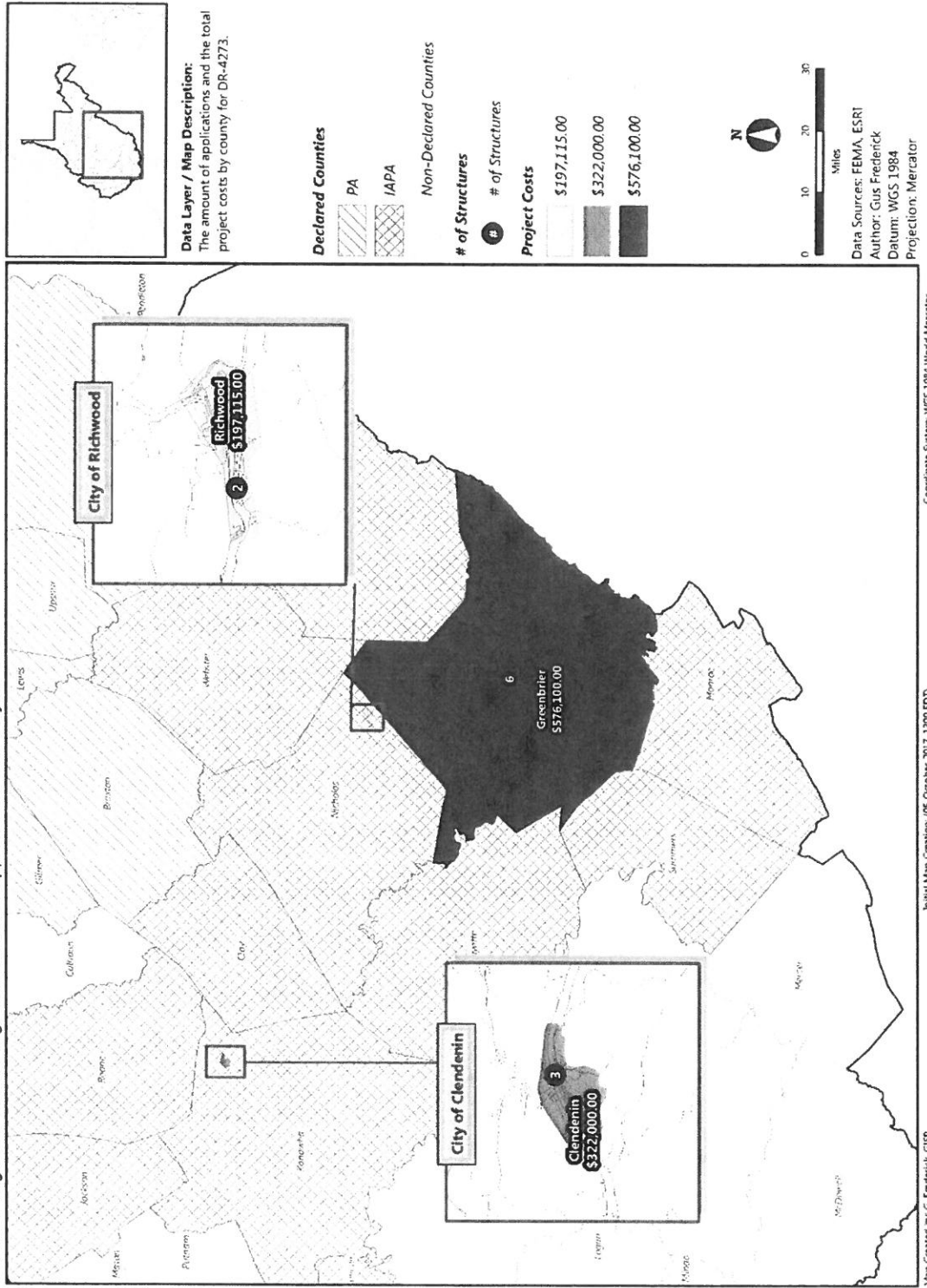
FEMA 4273-DR, West Virginia Flooding Hazard Mitigation Grant Program: Reconstruction Applications and Project Costs

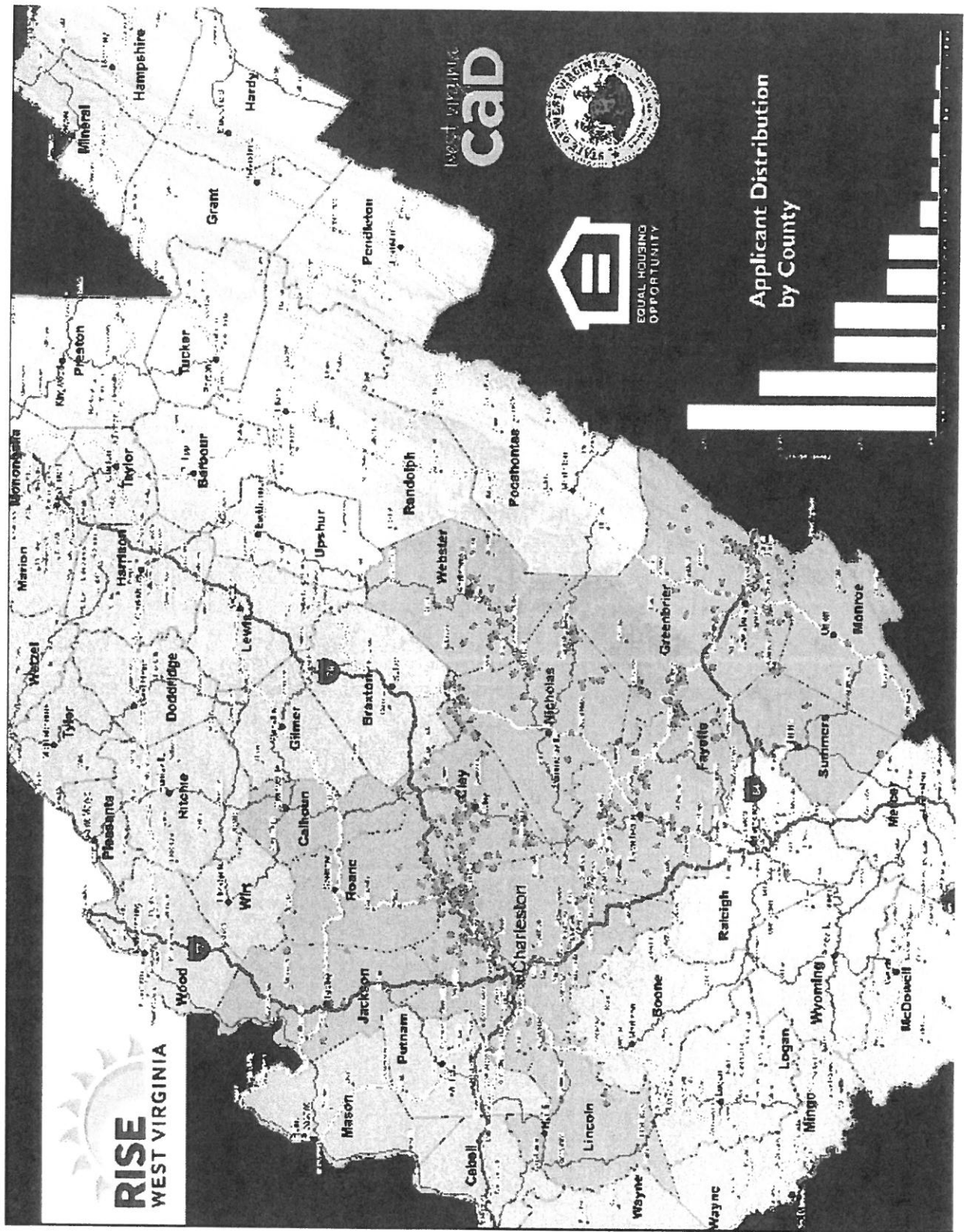




FEMA 4273-DR, West Virginia Flooding

Hazard Mitigation Grant Program: Elevation Applications and Project Costs







STATE OF WEST VIRGINIA
DEPARTMENT OF MILITARY AFFAIRS
AND PUBLIC SAFETY
DIVISION OF HOMELAND SECURITY
AND EMERGENCY MANAGEMENT
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JIM JUSTICE
GOVERNOR

JEFF S. SANDY, CAMS, CFE
CABINET SECRETARY

JIMMY J. GIANATO
DIRECTOR

December 18, 2017

Ms. MaryAnn Tierney, Regional Administrator
Department of Homeland Security, FEMA, Region III
One Independence Mall, 615 Chestnut Street, 6th Floor
Philadelphia, PA 19106
Attention: Ms. Janice Barlow, Acting Division Director, FIM

Dear Ms. Tierney:

Pursuant to §206.435 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, I find that the following Sub-Grantee applications for FEMA-4273-DR-WV Hazard Mitigation Grant Program (HMGP) funding are consistent with the State's Hazard Mitigation Administrative Plan.

Community Name	County	Project Type	Number of Structure	Project Cost	Federal Share	Non-Federal Share	Benefits	BCR
Clintonville	Greenbrier	Generator Fire Dept.	1	\$ 47,000.00	\$ 35,250.00	\$ 11,750.00	\$ 696,443.00	14.82
Huntington	Cabell	17 Pump Stations	1	\$ 1,116,965.00	\$ 837,723.75	\$ 279,241.25	\$ 11,543,027.00	10.33
Tunnelton	Preston	Generator Water Plant	1	\$ 189,011.00	\$ 141,758.25	\$ 47,252.75	\$ 1,779,863.00	9.42
Naugatuck	Mingo	Water Treatment Plant	1	\$ 231,700.00	\$ 173,775.00	\$ 57,925.00	\$ 1,944,766.00	8.39
Kermit	Mingo	Water Treatment Plant	1	\$ 199,501.00	\$ 149,625.75	\$ 49,875.25	\$ 1,352,061.00	6.78
Craigsville	Nicholas	Generator Water Plant	4	\$ 283,390.00	\$ 212,542.50	\$ 70,847.50	\$ 1,732,721.00	6.11
Buckhannon #2	Upshur	Generator Water Plant	1	\$ 1,077,327.00	\$ 807,995.25	\$ 269,331.75	\$ 4,864,354.00	4.52
Richwood	Nicholas	Water Treatment Plant	3	\$ 216,566.00	\$ 162,424.50	\$ 54,141.50	\$ 974,988.00	4.50
Alderson	Greenbrier	Generator Water Plant	1	\$ 220,421.00	\$ 165,315.75	\$ 55,105.25	\$ 977,861.00	4.44
Rupert	Greenbrier	Generator Water Plant	1	\$ 67,600.00	\$ 50,700.00	\$ 16,900.00	\$ 294,926.00	4.36
Buckhannon	Upshur	Generator Waste Water	1	\$ 945,110.00	\$ 708,832.50	\$ 236,277.50	\$ 3,052,928.00	3.23
Rupert	Greenbrier	Gen. Community Center	1	\$ 56,600.00	\$ 42,450.00	\$ 14,150.00	\$ 148,781.00	2.63
Oceana	Wyoming	Generator Water Plant	1	\$ 149,250.00	\$ 111,937.50	\$ 37,312.50	\$ 304,662.00	2.04
Rainelle	Greenbrier	Generator Fire Dept.	1	\$ 60,800.00	\$ 45,600.00	\$ 15,200.00	\$ 116,162.00	1.91
Tyler County	Tyler	Sheriff's Department	1	\$ 57,501.00	\$ 43,125.75	\$ 14,375.25	\$ 88,111.00	1.53
Tunnelton	Preston	Generator Sewer Plant	1	\$ 252,761.00	\$ 189,570.75	\$ 63,190.25	\$ 313,386.00	1.24
Ronceverte	Greenbrier	Generator City Hall	1	\$ 140,516.00	\$ 105,387.00	\$ 35,129.00	\$ 165,002.00	1.17
Terra Alta	Preston	Generator Water Plant	1	\$ 314,639.00	\$ 235,979.25	\$ 78,659.75	\$ 362,614.00	1.15
Bradshaw	McDowell	Generator Water Plant	1	\$ 67,950.00	\$ 50,962.50	\$ 16,987.50	\$ 74,148.00	1.09
White Sulphur Springs	Greenbrier	Generator Water Plant	1	\$ 175,822.00	\$ 131,866.50	\$ 43,955.50	\$ 186,078.25	1.06

TOTAL PROJECTS: 20 **TOTAL: \$5,870,430.00**
FEDERAL SHARE: \$4,402,823.00
NON-FEDERAL SHARE: \$1,467,607.00
CDBG-DR COVERED: \$860,101.00
GOVERNOR'S CONTINGENCY FUND COVERED: \$607,506.00